

August 5th, 2019

Honorable Colleen McMahon
Chief Judge of S.D.N.Y
Daniel Patrick Moynhan Courthouse
Southern district of New York
500 Pearl Street
New York, NY 10007

Patrick Daniel Nayyar
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Honorable Chief Judge Colleen McMahon.

Let me introduce myself to you, my name is **Patrick Daniel Nayyar**. And my case is in the **Southern District of New York: Case number 1:9-CR-01037(RWS)**.

My heartfelt and sincere condolence to the family of **Judge Robert Workman Sweet**, recently it came to my knowledge that Judge Sweet has pass away and even though our path may be antithetical. After all, breath is the first thing we experience and the last thing to go when we leave. This reminds everyone of us to closely examine what will be our final resume in the casket. In the book of Ecclesiastes say: **"It is better to go to a house of mourning then to go to a house of feasting"**-**"The heart of the wise is in the house of mourning."** The end of our lives, every one of us will stand before our creator. This is the day our own compassion extended toward others and ourselves will be the scale by which we are measured. I do not write this letter lightly. Even as I pen these words down: my dear mother lies in Mount Sinai Hospital in New York on life support equipment. My wish if she passes on: that I may be able to give her the same beautiful farewell going home as I did for our father 11 years ago. But for now my hands are tied knowing: this darkest night too shall end in bright day.

Come now, the Defendant **Patrick Daniel Nayyar**, request the honorable chief Judge to appoint a new judge to my case. If need be, I do have the right to file a new motion. Justice does not stop because **Judge Sweet** is deceased, especially my case cannot be put to rest and neither the Judges in the **Southern District of New York** can wash their hands like **Pontius Pilate**. The injustice and the judicial mistake committed in my case cannot be buried with the law. I apologize if I sound undiplomatic. If you were in my shoes you will understand.

Marcus Aurelius said “**Measure of a man can only by judged by what he cares most about.**” I do care about my name and character. The Department of Justice there are many young prosecutors fresh out of Ivy League Universities, working very hard to climb that ladder of success. Nothing wrong with this but what wrong is: using unfair means to discredit the accused and also deceive the courts by their lies, which are presented as truth. After all, many of them have been taught by character defective professors (such as **Preet Bharara** from New York University Law School). They will continue to practice the art they have learned and compete until they are exposed, caught or stopped by the Courts.

That is why integrity of the Judges are every important. They are the check and balance to serve: the poor and the rich, the humblest and the most powerful, the uneducated and the educated. However there is another side to our Judicial System, where the truth is being hidden from the public on a massive scale. Take my case as an example: I was charged with five counts, out of which four of the indictment is relating to “**Material Support of Terrorism**” I did take my case to trial and also testified on the witness stand before late **Judge Robert Workman Sweet**. And my second circuit Judges for my direct appeal are: **Danny Chin** and **Christopher F. Droney** and the circuit Judge is **Katherine B. Forrest**. There is a clear sad delinquency in our Justice System: you’ll see my case attest, there is a “Reckless disregard for the truth” in our courtroom and especially here in the Southern District of New York.

The Defendant, Patrick Daniel Nayyar: in his pro-se **Omnibus Motion** (s) dated **August 21, 2013** in congruence with **December 8, 2013**, declares egregious violation of the Defendant's rights during a Jury trial here in the Southern District of New York. Some of those unfair and unjust acts were: during the deliberation, the jury said to the judge: **that they were having a hard time to convict "Nayyar" of "Material Support of Terrorism"** – The judge Robert Workman Sweet's instruction to the jury was: **"It doesn't matter whether 'Nayyar' committed the crime or not, it is his intention."**

The jury came back with a guilty verdict on all four counts of **"Terrorism"** charges. The District Judge violated the basic precept of justice by elucidation his purpose: an error (s) by injecting **"It is his intention" – "doesn't matter if Nayyar committed the crime or not"**. Here **"The truth finding function"** of the jury was compromised, by this prejudice act and other. The District Judge needs to be aware of his position especially in a Jury trial. In our judicial system: the jury has an unquestionably valid role in the verdict. As reiterated by the associated **Justice Neil Gorsuch: "Supreme Court precedent gives Juries, not Judges, the power to determine Criminal Conduct."**

In the Defendant Case: late Judge Sweet demonstrated time and again did show his willingness to flout his authority by the abuse of power vested upon him. The District judge violated the Defendant rights: before, during and after the trial. And also on direct appeal (**Oral argument hearing dated September 22, 2016**) did show Continual Inclination to break clear from the law and row with the prosecutors and the law-enforcement agents. In course of the trial and direct appeal the prosecutors (**AUSA's Brendon McGuire, Sean S. Buckley and Stephen J. Ritchin**) and the law-enforcement agents (**FBI S.A Michael D. Kelly and NYPD Det Michael O'Brien**) did violate Nayyar's right as: Egregious Constitutional violation, illegal search and seizure, botched execution of affidavit, the warrant and searches obtained in bad faith, violation of due process and to

legitimatize blatant lies and false statement from the prosecutors and the law-enforcement agents in his courtroom, is atrocious and shamefully immoral.

The District Judge Sweet has reckless disregard for the truth, even when the evidence demonstrate and prove otherwise. This type of premise or occurrence in the Courtroom here in the Southern District of New York arises often. The only logical sense is the underlying fact: where the District Judge unreasonably “CYAs” for the dishonest and vindictive prosecutors and the indign law-enforcement agents (**FBI S.A Michael D. Kelly and N.Y.P.D Det Michael O’Brien**). The District Judge violated the canon code of law to be ‘**Candor**’ and **the Constitution of the United States of America.**

The Standard...error (s) of this basic, motive, action, intent, belief or decision are so intrinsically harmful as to require reversal (Cause) the error (s) justifying and render a trial fundamentally unfair. The Court here in the Southern District of New York cannot violate the “**Due process**”. An established course for judicial proceedings designed to protect the legal right of the individual.

The unquestionable valid role of Judges are also to protect “**The right to fair trial**” - “**A lie is a lie, no matter what the subject is, and if it is in any way relevant to the Case, the judge have the legal responsibility and duty to correct what you now know to be false, and the judge have a duty to elicit the truth.**”

The case of Patrick Daniel Nayyar here in the Southern District of New York: **the justice was a complete wash out.** A threat to justice anywhere, is a threat to justice everywhere.

The conformist image of these Judges which is self-assuring, independent and their willingness to cut-up and row with the prosecutors clearly shows: the truth in our courtroom is being hijacked. Nevertheless it does give the presiding Judge the ridiculous sense of achievement, because 97% of the individuals indicted, plead guilty to the crime and 3% or less goes to trial. And the Defendants who are found guilty do not have the guts and the courage to challenge the

System. The Defendant, **Patrick Daniel Nayyar** may be exceptional, only because of God's grace. You will have to read the 44 pages document to understand the case better. Here are few new details connected to my case. What I am hoping to achieve by writing this letter: **all I want the court here in the Southern District of New York to represent Justice. I am very sure all the citizens of this great country want our Justice back.** What I have stated here is serious allegation and there are many other cases like mine in the **S.D.N.Y.**

Judges cannot delegitimize the fact. As I stated earlier in my case: the facts were distorted. There is no greater tyranny committed in our country in the name of law and Justice, by the abuse of power and position at the highest level. Look, one of our most prestigious law enforcement entities in the world: **the Federal Bureau of Investigation (FBI) had just two directors from 2001 to 2017; they were Robert S. Mueller and James B. Comey. If we are to closely examine their record. How Robert S. Mueller and James B. Comey have advocated mass domestic surveillance for many years. These two men have worked like a tag team promoting the interest of surveillance contractors under the guise of protecting America.**

This is from **Columbia Journalism Review**: in 2016, the story is not only about the incredible surveillance power of the U.S. intelligence community but also about FBI failures and corruption. And according to credible top level FBI whistle blowers, including **Mr. Terry Albury**: that these capabilities are out of control. Worse yet, according to a decorated FBI communication analysis unit chief, the surveillance protocols are not even effective to stopping "**Terrorism**" which is their primary purpose. Except for those man and women who were involved in the "**Mass Surveillance Program**" did build their careers and grab power and destroyed many families. Back in 2014 by own **FBI's chief Mr. Bassem Youssef and his team (Communication Analysis Unit) specifically did warned FBI Director James B. Comey that surveillance programs were open to abuse and the surveillance programs were a considerable waste of time and**

resource. And they had disrupted only one terrorist plot in more than twelve years.

So, the FBI started to created crime out of a new cloth to justify their agenda. And thus: **Mr. Patrick Daniel Nayyar** is indicted in the **Southern District of New York** for **"Material Support of Terrorism"**. And yet the prosecutors from the **S.D.N.Y** stated in the trial summation dated **March 27, 2012**: **"As I said before, there is no claim here that the Defendant (Nayyar) is a terrorist. No one is arguing that the Defendant was planning to blow anything up or commit any act of violence. Not at all, ladies and gentlemen: nor does the government argue that the Defendant was a member of Hazballah."** This is government official statement attesting for me: yet the **Judge Robert Workman Sweet** still railroaded the Defendant (**Nayyar**) and sentenced him to 15 years in prison. This is reckless, irresponsible and misguided judgment on the part of **late Judge Sweet**. Not to state other **"Fake accusations"** and **"Lies"** injected as truth to tear down my character and to win the trial. This is outrageous and unacceptable; it has made the Southern District of New York into **"Justice Due-jour"**.

For almost two decade these organized scoundrels: **Robert S. Mueller, James B. Comey, Andrew McCabe** (In 2006 was promoted under **Mueller** and moved from New York to FBI headquarter in Washington D.C. he was a **unit chief in charge of terrorism and extraterritorial investigation**) and along with their associates have used their, political and technical power to target millions of innocent American for their purposeful agenda. And dragged many under the fallacious indictment of: **"Material Support of Terrorism."** These scoundrels for their own greed and agenda has prosecuted over 3000 case by creating a illegal criminal plot, entrap their target and foil their own illegal plot. And these **"Preemptive prosecutions"** where no real criminal activity occurred on terrorism. And the real terrorists are not apprehended. What a disgrace to our society.

This widespread cronyism and self-enrichment on the part of **Mr. Mueller** and **Mr. Comey's** gang to **cash-in**, by **advising the very surveillance contractors who got billions of dollars from tax payers**. These men have tarnished the role of the **FBI** by pushing their ideology and purposeful agenda. **The American public and the Judges across the board must return the FBI to its proper role of solving crimes and not creating crimes.** What has been done under the umbrella of "**Material Support of Terrorism**" is a disgrace to our nation. **These men who are willing to destroy American families for their personal greed, adds insult to injury**, to the families that have suffered on both sides of this catastrophe. This may be one of the reasons today the American public is upset with Capitalism.

This genocide against American families has caused a societal shift. The truth will prevail. It cannot be hidden, no matter how hard everybody that are involved tries to sweep it under the carpet. **And judges cannot become quiescent observer or participant to a golden chalice of fiendish.** The media also need to regain their credibility by not becoming political operatives or propaganda advocated for corporate America or practice the art of ventriloquism. None of us can deny what happened on 9/11. And to use this horrific tragedy to make business of it by injecting and permeating fear into our society is sacrilege. We live in United States of America and not in North Korea or a Communist Socialist country.

The indign officers who are involved in my case: the **FBI Special Agent Michael D. Kelly** and the **N.Y.P.D Joint terrorism task force Det. Michael O'Brien** are even more dangerous, because they are next to people of power. These men have authority and no responsibility. These men have "**Raw exercise of power**" by which they can destroy a man's reputation, put him in prison, and disrupt his life and his family. **I do have documents and transcripts from the government as evidence to show how these two officers are truthless and charlatan**, such men brings disgrace to our prestigious law-enforcement. They

will do whatever it takes to please the **"Alpha Dog"** in order to advance their career. **(Reminds me of HMY BRAND- a dog listening to "His Masters Voice")**

Our Justice System has become a sort of state within the state with octopus-like tentacles that authorize the **"Controversial terrorism surveillance program"** through a net work of confidential informers. These informants are sent into the society to entrap the most expendable person or to target an individual for a reason, they and God only knows. **(These informers are criminals from within the Justice System with a free get out of Jail card.)** The prosecutors, also abuse this **"Raw exercise of power"** and along with their **"Immunity status"**, the abuse is even greater here in the SDNY. They are: creating a crime from new cloth, plucking the low hanging fruits, on a fishing expedition, frivolous charges, false statement, canard, egregious, malicious, vindictive prosecution and violating the United States Constitution and more.

It is nearly impossible to fight this **"Raw exercise of power"** being abused by individuals who are representing their own agenda, and not for the benefit of the public. Even their media partners, steam-rolls over you. They define to the public who you are; they destroy you by dragging your name through the mud, finally you become a number in the FBOP system. In a sense you are drowning where you cannot reach the surface. This injustice is happening in our society because **"The Gate-Keepers of our Constitution"** has lost their credibility. The credibility is indeed the **"Backbone"** of our Justice Department (DOJ)

These powerful men and women have leaded us to evil and madness by their wicked acts. They are convinced that they cannot be touched and therefore they confidently destroyed others for self-enrichment. This thirst for power: has turned many honorable men and women to become liars. They create fanaticism and the public gets hypnotized by their agenda. While the media fans the idea into a raging wild fire and get handsomely paid by the very surveillance contractors. The end result: **destruction of many American families, all because of money, power and greed.** (This story should be the real **"American Greed"**) In the Old

Testament, book of Zechariah says "Thus speaketh the lord of host saying execute true judgment, and show mercy and compassions every man to his brother: And oppress not the widow, or the poor, and let none of you imagine evil against his brother in your heart."

These are the words of former FBI Director **Robert S. Mueller** "**Gentleman: criticism of the bureau is a non-starter.**" This is the reason why almost all defense lawyers are afraid to take on the system: if they do they end-up destroying their own career so they go with the flow. These two perfidious former prosecutors **Robert S. Mueller** and **James B. Comey** not only tarnished the most prestigious law enforcement agency the FBI but also destroyed many lives under "**Counter terrorism surveillance.**" **The law of karma: what goes around comes around.** These men targeted millions of American citizens in the mass surveillance operation and incarcerated thousands of men and women under the abusive "**terrorism entrapment.**" Today millions of Americans are watching these scoundrels being disgraced for systemic corruption within the bureau. The truth always prevails. This is what happens: **when you jive on the dance floor waxed by the tears of many families.** God works in a mysterious ways. **None of these systemic corruptions within the FBI and the DOJ would have come to light if Mr. Donald J. Trump would not become the President of United States of America.**

Recently we have seen cowardly act of terrorism on innocent people. Whether the act was done in California, Texas or Ohio, it hurts every one of us in the country. This blame game and marginalizing people for their race, colour, belief or class doesn't help: it will only divide and destroy our society. Just as **President Trump** said "**Open wounds cannot heal, if we are divided**" there is much truth to this statement. Our justice system has divided many families and wounded many men and women. These scars are open and deep. Even when they are released these wounds are tender. Judges has the power to help these individual and their families to heal.

The prosecutors in the **Southern District of New York** tell the indicted: **"To accept responsibility for your action."** Shouldn't they eat their own words? Also it is so easy for prosecutors in the **Southern District of New York** to call someone a **"Pathological Liar"** when in fact they are the one's possessed by the **"Prince of lies."** The Judges tell us that the task of the prosecutors and the court is not simply to enforce the rules but also to teach the people morals. The truth is: **morals are only taught to the poor, the unschooled and the humiliated. And moral standard for the rich, the powerful and the influential are different.** This stifled justice and crucial transparency become opaque. The rule of law is supposed to work for the accursed and the accuser. And those found guilty must pay the penalty in the same manners they arrest and punish other. Only then will the justice be restored.

Here is another prime example case of **Jeffrey Epstein** that has come up in the **Southern District of New York**. What had happened to the Justice, the first time is a shame. This is the reason why Justice cannot become a Cats-paw: and be manipulated by and for political agenda. The public is cognizant that there are numerous powerful men and women that are involved with Jeffrey Epstein's criminal sexual propensities.

My question: is conspiracy indictment only for the poor, the uneducated, the black, the Hispanic and the "Basket of deplorable white? How it is the rich, the powerful and the academia are not pulled into the **"Conspiracy"** dragnet? In the Southern District of New York: if an individual is charged for **"Drug trafficking"** both seller and buyers get busted, arrested and indicted. Now in Jeffrey Epstein's **"Sex trafficking"** charged: we the public for now only see the seller or trafficker (Jeffrey Epstein) indicted. Where are the consumers or buyers or recipient, in this **"Sex trafficking"** indictment? (There can't be no trafficking without goods being purchased or exchanged.)

What was done in the dark will come out in the light. And most of these shrewd customers are men of Jurisprudent or has worked in the criminal justice

system. Now why this is important? They are the authorities on the law and they do have full knowledge of the law as to what constitutes a crime. Now, these honorable promiscuous poachers are denying: That they don't know these young ladies. And they even formulate a new strategy to make these young ladies to be "**Predators**" and they are the "**Prey**". These men must be brought to justice because of irreparable damage that was done to these young ladies. If justice fails: the message is very loud and clears that here in the **Southern District of New York** there is "**Two tier justice systems**". Therefore the judicial credibility is lost in this District.

The American public is also watching Judge Richard M. Berman who was after all appointed by our beloved "**Playboy**" President Bill Clinton. Will the District Judge erode the integrity of justice or justice itself will become Co-opted. The public will have to wait and see. The time has come to test the Southern District of New York: whether these prosecutors have the courage to prosecute these real "**Untouchables**". This is the reason why Mr. Jeffrey Epstein got away the first time. **This time, Jeffrey Epstein case is a political shenanigan to pull down or disgrace one other individual and grease the rest of the skids.** Unfortunately as I was penning this letter Mr. Jeffrey Epstein committed suicide. may God bless his soul (Case closed but for politics and conspiracy theories.) And those who were planning their career move on Epstein's case also have stalled. Nevertheless the Southern District of New York has become the anticyclone in the DOJ.

If this similar case was to happen to a "**black man**" in the **Southern district of New York**, his whole family and all his friends that are listed on his cell phone, including his grandfather: just because the said calls that was made, came from his home according to cell-tower expert. And all of them would be pulled into a conspiracy indictment. This is the reality the public needs to see and know. That is why **Senator Daniel Patrick Moynihan** said "**The rise of single**

parenthood in black families as social ill." This is why 38% of the prison population is black.

I am sure many Judges across **United States of America** abhorres: the plight of the **Rohingya**, a **Muslim ethnic minority of Burma**. Another man made catastrophic humanitarian disaster. This is a perfect textbook example of ethnic cleansing. Similar dreadful human calamity is happening in our own backyard and many don't even notice it. These young black men mostly reared in "**Luckless housing projects**", their trajectories are spectacularly diverging, and divorced because: most of their fathers are already in prison for years. These kids grow up without fathers. The law enforcement trolls these poor neighborhoods and dragnet these younger men into the justice system. The justice has turned these young men into worse feral dogs: vicious and wondering within the confines of their neighborhood or inside the prison walls. This is what justice has done to our society and decimated our black population. These young men and women needs to be educated so their thought pattern will change. Justice system has made these young black men malapropos in our society

While their feisty inspirational mothers are toiling the kitchen sweating and working at low paying jobs, just to make ends meet. Their wish fulfillment is: mazel-tov upon her family, praying more and more with a hope that her grandchildren would escape the prison. And these incarcerated young men's "**baby mothers**" (so fondly called by inmate) are faced to pay the bills and feed the starving children. These young mothers in order to make ends meet, sell themselves as market women and gets pregnant again by another men just released from prison. This only adds unpleasantness and more burdens to the young women. Furthermore relationships are destroyed. Thanks to the **Federal Bureau of Prison**, where inmates are shipped around as **U.P.S** across **United States**: This is what Justice has become of late: such a rational passion for dispassionate irrationality. This mocks the American jurisprudence for fairness.

The arc of Justice is much like **"A Discourse On Equality"** by Jean Jacques Rousseau said **"Man is born free and everywhere he is in chain."** also **"mankind is naturally good, but political society corrupts him, society makes people selfish."** Therefore **"The laws are always useful to those with possession and harmful to those who have nothing."** This may be the reason why Judges helps to build the **"Prison Industrial Complex"** which has turned inmates into commodities thereby denying them humanity and Justice. This seed which has germinated over many decades may be the downfall of our society teetering today on the brink of moral collapse. One might debate that these are criminals, the facts are lob sided. American people are tired of being dumb down.

Of late, public has notice how Justice is tied to the powerful, the wealthy, the well connected academia, the corporate America, and last not the least to the people who had or has appointed them. When our allegiance to the truth is deserted we become phony and poseur. Today we see this intoxicated anarchic mind-set among our young people due to failure of our legal system. This neuroses has also infiltrated every facet of our gem society. In the end, many may end up being treated for clinical depression which will add, to already over burden opioid crisis. Judges owns many of these ills in our country. From my personal experience in the Judicial System, when the judgment is given to the poor and the uneducated is like **"giving a glass of ice water to someone in hell."** And to the rich and the powerful the Judges becomes the **"Blushing Bride."** This ecstasy of injustice has caused our country's fate worse than death and it is being dismantled lethargically. Today, we're witnessing the solidarity within United States of America, is being destroyed.

Judges, needs to understand due to these unbalance equilibrium, in our Justice System. Many have pleaded **"guilty"** even to crimes that they didn't commit. The fastest way to get released is to plead **"guilty"**. **This has made our courtroom into burlesque and exploded the prison industrial complex into profitable enterprises.** This does not end here; these inmates in prison become a

major problem with substance abuses. These gateway drug abuses have decimated many families. We are seeing the raise of "**opioid epidemic**" in the **United State of America**. And statistic tells us that 83% of inmates have some form of mental illness and they don't have access to treatment, even inside **FBOP**. So now, they treat themselves with whatever is available inside the prison and adding financial burden on the family members. (I could write about opioids abuses in detail). All because of few greedy individual and the destruction of a society become irrelevant.

Honorable Chief Judge Colleen McMahon, My question is: what is prison all about? When it does not help these young men rehabilitate but only to profit the "**Prison Industrial Complex**." (I could write a whole book on this subject with first hand knowledge, and experience but this is not the time.) These bad policies which have caused enduring harm to our country's human resources. This is one of the reasons: for the raise of illegal migration into United States. Being here in the presence of the mutilated and tortured souls, where life is so cheap and fate is so brutal. If this was happening else where, we would be very critical. One can personally see, smell and feel the horrors and wickedness of Justice. **An evil harvest, sown of pride, arrogance and lust for power**. Just a remainder many great empires have disintegrated due to such nightmarish agenda.

My exposé's on the "**Department of Justice**" as a result I've made enemies with some of the most powerful establishment, individuals, interest and corporation on the planet earth. And I am treading in some very dark deep waters. The question is: how cans someone with no power, no megaphone and no media support begin to challenge and muscle the "**Third Branch**" of our government? My answer is: in my experience of hopelessness and suffering, pushing myself to be strong and courageous each day. A still small voice speaks to me: "**be strong and courageous.... Do not be afraid or discourage. For the Lord God, my God is with you**". This gives me the strength and courage to overcome hardship with confidence. It does take every ounce of my mental strength and sacrifice,

where God's strength and my vulnerability are fused together only to manifested His power. Therefore I did not crumble under the pressure and His hand is on me. Real courage never arises from us but by the spirit of God in us.

The saddest legacy is that, more injustice lies in the future. If this hurly burly of Justice continue, it will inflame the human spirit to anger, suspicion and hatred. The end result will erupt into conflict. This is why God allows us to wallow in our own moral filth as **Babirusa**. Believing in lies as truth and reaping the fruit of our rejected truth. Therefore we are living in your own debased mind, and doing those things which are not fitting in our country. I am paraphrasing what **Nietzsche** said, there was a time in history of human: where powerful and noble values such as **courage, pride, honor and truth** prevailed. Today it is supplanted by individual in position who elevates everything that is low in themselves. (E.g. Just like low I.Q reality show on television with these recycled women)

Mahatma Gandhi once said while being in prison on Andaman Island (Black Water) "I know that I was playing with fire. I ran the risk and if I were set free I would still do the same. I would be failing in my duty if I did not do so. I have felt it this morning that I would have failed in my duty if I did not say all that I have said just now." I personally feel and would do the same. In the end as poet **Omar Khayyam** wrote "You could live your life in fear and soon you will be forgotten, however if you are courageous history has a place for you."

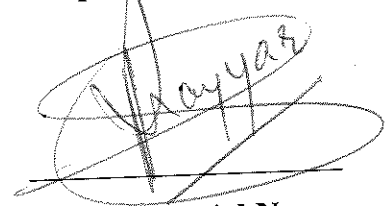
In conclusion, **Honorable Chief Judge Colleen McMahon**, all the people within this great country's border hope that Judges: will become the true alchemist by which you can turn not only your life but everything around in our society into Gold Standard. When citizens and non-citizens alike can walk into your courtroom with tranquility and give you the honor which all of you highly deserve. In the end I will leave you with this, **Socrates** said: "The

unexamined life is not worth living." Therefore the Judges are the priests and shepherds in our country. If they do not hold to the fire (The Law), the Oracle of the Temple of justice becomes false and perverted: The Judgment becomes the Judge's imagination spoken in a vision of their own heart walking in lies. The judgment that is not administered faithfully becomes vain: thus the people are scattered and lead astray because the shepherds are not feeding the sheep.

And let us not legerdmain and idiotize the American public, the fact is: we all need to unplug the world and plug into God's heart. I have enclosed **44 pages document**, letters to **Judge Robert W. Sweet**, Attorney General of U.S.A **Mr. William Barr**, **Ms Catherine O'Hagan Wolfe**, my lawyer **Ms Laura Grossfield Birger** and the **President Donald J. Trump** of the United States of American.

Thank you for your patient and giving me your ears. I look forward to hearing from you at your convenience. God bless you, your family and God bless America!

Respectfully yours

A handwritten signature in dark ink, appearing to read "Nayyar", is written over a horizontal line. The signature is stylized with a large, sweeping loop at the end.

Patrick Daniel Nayyar

FCI Pollock, LA

TRULINCS 77606053 - NAYYAR, PATRICK - Unit: BRO-G-C

FROM: Birger, Laura G
TO: 77606053
SUBJECT: RE: Stipulation
DATE: 05/30/2016 10:34:50 AM

Ok, I will proceed accordingly. We are set for June 2 - I will let you know the next schedule as soon as I know. Be well.

Laura Birger

PATRICK NAYYAR on 5/30/2016 6:18:25 AM wrote
Dear Ms. Laura G. Birger,

I did receive the stipulation on May 26, 2016. This is the first time, since you were my attorney, twenty months ago, I received my legal mail, not as regular mail. Quite a surprise to me. After review of the stipulation a number of times. I did have many comments and concerns, with these "mistakes of law" committed by individuals or attenuation to purge the taint of the initial illegality.

However, today, I am writing this letter, not out of reactionary feelings, but rather for the experience and lesson that help me. Especially how to navigate, re-assess and advance ahead in a course towards compassion, democracy and social justice for all. I know my life has changed, but I have no idea how drastically.

My life compose of series of coincidence over, which I had no control. Nevertheless, once I was presented with such coincidences, I have choices how to respond and action I take in the face of these incidences. I have been convicted of offenses involving terrorism, and yet I am not a terrorist. My family was pulled away from me and Maryna divorced me. The hard put pain was not able to see my son, Joel Valentino Nayyar and my daughter Adriana Sophia Nayyar. They were 5 and 3 years of age respectively at the time of my arrest. I have not spoken to them for six years. My years while incarcerated in MCC, New York, my letters and cards to my children were hijacked by BOP. My children could not receive my letters and cards. It was like putting salt upon my wounded soul. Not to state the losses of property, my company and equipments, reputation and character.. I remember, it was like yesterday, when the law enforcement agents were interrogating me, and said that if I did not help them, I would lose everything. My answer was I came to the United States with one thousand dollars in my pocket, and if I lose everything, I just lost one thousand dollars.

This incarceration for 81 months, have been God's alchemy in my life. What is freedom after all? If I cannot free my own soul from bondage. The justice itself have been state of pilgrimage and crucifixion for me. Yet, it taught me the art of love and compassion. Like I said at my sentencing "and it won't be a Christian like behavior". I am a Christian with strong principles and faith, with an aim to move forward. These years in prison, where I had the opportunity to bring the brilliance of God's light into the bleakness of man's darkness. It is a place where His light met and mingled. I have touched many lives in prison, which I am grateful to God for this opportunity. The blessing I have received, no amount of remuneration could buy.

And the other side of me, my fearlessness, in my pugnacity, in my willingness to be combative and engage in mental fight, as well as my unpretentious camaraderie, where could they have come from, except from my father, who was a freedom fighter. Yet, fate works in a strange ways. These past few months, I had the hardest fight or challenge in my life, cause, humility is a deep mystery, which demands that we give ourselves up and that is a terrifying prospect. It is not about them, it is all about me. Am I able to forgive everyone, who has ever wronged me, hurt me, spoke evil of me, lied or harmed me in any way. I also asked God to forgive me for any unforgiveness, any bitterness, any anger, any strife, any animosity and any resentment, that I may have in my heart toward anyone. which I did.

I do believe that you are a blessing in my life and so is Stephanie. Ever since I have met you, your luminosity is such it only amplify just as light passes through a prism. As you have stated " We have negotiated this extensively and are comfortable with it in this form". If you feel everything is satisfactory, go ahead with it and God bless you.

Respectfully Your,
Patrick Daniel Nayyar

April 2nd, 2019

Catherine O'Hagan Wolfe
Clerk of Court
United States Court of Appeals for the Second Circuit
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: United States v. Nayyar, No. 14-4126

Dear Ms. Catherine Wolfe

Ms. Wolfe, I apologize for being so blunt in my communicado and keeping it simplified as to what I have to say: I do hope after reading this document, if you could send copies to the following Circuit Judges Denny Chin and Christopher F. Droney and the district Judge Katherine B. Forrest. And trust to see a little justification to the remaining conclusion of this case of mine from the public. I do wonder will it be the same as the resolute verdict pronounced by these highly intelligent Judges.

Thank you very much.

Very truly yours,


Patrick Daniel Nayyar

Dear Derrick Nayyar and To Whom It May Concern.

I do hope that this letter will get to you, especially when the people that are involved in this case are so censorious about my communication with the outside. If I were them, I would also be concerned about their actions and the unacceptable fake facts that they presented at my hearing and trial. It is very likely that this case will go to the movies. ***Machiavelli*** said "***necessity is what impels men to action.***" I wrote this letter out of necessity, if nothing changes then only decay and not will be left. However, I do believe the truth will be seen, and heard. The Courtrooms here in the United States have double standards. One for the people in power and the other for the common public and the truth is not the issue – ego is. These prosecutors in the ***Southern District of New York*** do not want to lose any record or case. It is all about ego and their career, as well as the lies that they perpetuate to achieve that goal. They would rather have power, position, and prestige than represent the truth. And the judges, in fact, provide the means toward that sought after goal.

No one can deny that terrorists are a threat to our society and the world around us. In today's America, it is almost impossible for any individual accused of terrorism related charges to get a fair trial. The case like mine (***Nayyar***) was convicted of terrorism related crimes. Yet, ***Nayyar*** poses no danger to the United States or our society. That Confidential Informant (C.I.), ***Ali Saleh*** would have even tricked the most prestigious Law Enforcement entity in the world, ***the Federal Bureau of Investigation*** (F.B.I.), then headed by Director ***Robert Mueller***, to go astray. It is mind boggling. The real security threat to our Nation are these ***guggas*** (little rats) C.I.'s like ***Ali Saleh***, who have preemptively and calculatedly misled the Law Enforcement officials from real terrorists who are out there to hurt America and its

people. The real dilemma is that precious resources and time are being redirected by these C.I.'s who are **"gaming the system"**, and to stay out of prison for the crimes they have committed.

As I said: these confidential informants like **Ali Saleh**, have no backbone to take the punishment for the crimes that they have committed. They have become a deadly virus like Ebola in our society. This C. I. **Ali Saleh** is the one who committed the crimes against America and its people by selling and importing counterfeit goods from China, evading taxes, money laundering and other illegal enterprises. How is it, this came about that **Nayyar** is a terrorist, and that **Nayyar** conspired to fund a terrorist organization? Let the people decide. The political testing of justice in America may have only just begun. And this case has a tremendous opportunity to enlighten the public. The United States of America has flourished because it is the fruit of freedom. This freedom cannot be depreciated from our lives, which we all value. Fear has no place in America and its people, whether the threat is internal or external. America is great because it has sons and daughters who have the courage to stand up for justice and what is right against all odds, so that our freedom remains intact.

In the *Iliad*, Homer writes: **"We, the gods, will only live as long as the Humans believe in us. The day the Humans no longer believes in us, is the day that all gods will disappear."** I can say from being here in prison for 103 months, that millions feel the same way about the Department of Justice in America. The people are becoming more and more distrustful of the justice system because all **"Due Process"** is thrown out of the window. This system of guilty by accusation has made the **"Due Process"** dead. **This abuse of power is much more prevalent in the Southern District of New York.**

In the Courtroom, these men and women holding an office and not participating in doing the right thing, they are the ones who need to question themselves. This short-sighted justice is being paid for by all of us as a collective conscience. Today, we all see the consequences of their judgments. I am sure they are worried about their reputation and legitimacy in the eyes of the Nation and the World. Lawyers on the other hand, with the use of persuasion and language, lose sight of justice. Most lawyers are perfidious; they talk and talk while avoiding the main issues of the case, e.g. **Sanford N. Talkin** from the law firm **Talkin, Muccigrosso, and Roberts** who were my trial attorneys, spoke in the opening statement and argument about "**Entrapment**" but never once did he highlight that point about "**Entrapment**" during the entire trial. The other trial lawyer was **Ms. Dorea Helene Silverman** from the law firm **Charles A. Ross and Associates L. L. C.**

Trial lawyers have a very important job because those who go to trial, like me, most often want the truth to be told. The truth is not in the story; the truth is in the power that creates the story. That power is God's given life; its God's given breath. My hope is that you can understand what I am about to tell you. Don't believe me with only your head, but feel what I am telling you with your heart. When an incident such as my case happens in any society, it is not the individual that suffers, but society itself because the incident certainly testifies against moral certitude. My case, as you will see, is only the tip of the iceberg.

It's no wonder it baffles their intelligences and invokes their insecurity; therefore they keep stacking fake charges on my head from the Federal to the State. In their foolishness, they have what is called "**cognitive dissonance**". Under this psychological weight, they need to justify themselves of their ego, education, and position. Being right

becomes more of an important emotional priority than what is right. The fact is, denying the truth does not make it go away; it only survives and thrives in their little world of falsehood.

As for me, I have fully accepted everything about myself and I no longer need to hide. My own fears are dissolved because there was never a threat of being exposed. But they who portrayed themselves as high and mighty, will be dissolved when the truth comes out. They will be embarrassed and bruised. It's not important for me to be right or to make them wrong. Instead, you will see that everybody involved in my case are characters on a stage as either actors or storytellers. You will understand that whatever they believe is not the truth, it's just their point of view. It has nothing to do with me.

Once again, I must thank God that I have survived this disaster, but in the end, I will finish in style. Those who have helped me and stood by me while in prison or on the outside, in my book, they have a ***Machiavellian*** character. These years of rain will end and the clouds will part as strong rays of sunshine illuminate my courage, strength and my faith in God. In the end powerful man is always defined by what he has gone through and how he makes the people feel about him, and all I have is a soul and confidence.

Come now, as I walk you through my case. You will see how my ***"Due Process"*** and my ***"Constitutional rights"*** were violated and trampled upon by the so called ***"Gate Keepers of the Constitution"***. ***The District Court Judge Robert Workman Sweet*** and my ***Second Circuit Judges for my direct appeal are Danny Chin and Christopher F. Droney, and Circuit Judge is Katherine B. Forrest.***

These judges are brilliant, but their minds are rusted and sterile. I say this because their courtrooms are personifications of stagnation where they cannot change or reform the system. Just like habits are hard to break, they practice justification as a charming milieu rather than that of truth.

The Southern District of New York under U.S. Attorney Preet Bharara did violate the U.S. constitutional rights of the people. These are egregious, malicious, and vindictive misconducts made by the prosecutors. The ***"fishing expedition"*** for evidence and engaging in unconstitutional racial profiling are engaged on a regular basis. When frivolous charges are stacked against an individual, it makes a flagrant mockery and a fog of deception to the judicial system which has over 200 years of American jurisprudence that established our exorbitant gold standard. This misconduct can be seen in the media today. ***You don't have to murder a person, just destroy his name and reputation.*** It is the beginning of the ***"Snowball Effect"***. This is due to the failure on the part of these Gate Keepers of the Constitution, and the people of this great Nation will pay a heavy price. ***President Woodrow Wilson*** said: ***"The great government we loved has too often been made use of for private and selfish purpose, and those who used it had forgotten the people."***

Even now, as for my case, U.S. authorities did not correctly state to the ***Indian High Commission*** what my charges in the ***Southern District of New York*** truly were. The United States authorities erroneously made a statement that ***"he (Nayyar) was arrested by the FBI in 2009 and convicted of possession of arms and ammunition. Mr. Nayyar is also having 2 arrest warrants under his name issued by the authorities for forgery of Bank checks."***

This is a false and incorrect statement. Giving a false written statement as a communication with one Nation to another is unscrupulous, deceitful, and unethical. When such incident happens like mine. It is not one individual Indian that suffered but whole as Indians. When an Indian is accused of "**Terrorism**" and its embassy is not informed. It is not me alone but there are over two hundred millions Muslims in India. And I pray to God that this is not the last time we meet.

The truth is; on September 24, 2009, agents from the FBI (at that time) headed by Director **Robert Mueller**, arrested **Mr. Patrick Daniel Nayyar** in his home in Flushing, Queens, New York and was taken to 26 Federal Plaza New York, N.Y. There, **Nayyar** was interrogated by **FBI Special Agent Michael D. Kelly**, **N.Y.P.D. Det. Michael O'Brien**, and **N.Y.P.D. Det. Thomas Reilly**.

During the interrogation, **FBI Special Agent Kelly** and **N.Y.P.D. Det. O'Brien** threatened **Mr. Nayyar**. One of those threats were, if **Nayyar** did not say that the truck **Nayyar** sold to **Ali Saleh** (Confidential Informant *rat working for FBI*) was going to **Hezbollah**, then the government would deport **Maryna Nosava** (**Nayyar's** wife) back to **Belarus** and our children would be sent to foster care, since they were American citizens. **Nayyar** asked, "**what about my mother?**" (**Sheila Nayyar**). **Det. O'Brien** answered, that she too would be deported. These law enforcement officials violated my 5th Amendment right. (**RHODE ISLAND V. INNIS**).

At that time, my wife **Maryna Nosava** did not have legal residency. In fact, on **September 24, 2009**, **Maryna Nosava** was on immigration arrest by Special Agents **Alex Antes** and **Charity Patrick**. These Agents were from the **Department of Homeland Security**

(DHS) under the **Director Jeh Johnson**. (*Jeh Johnson is also a former prosecutor from the Southern District of New York*). These agents are probably also involved in the lie that "**Nayyar**" himself is an illegal alien.

Now, the truck sold to C.I. **Ali Saleh**, was a legitimate legal sale and **Ali Saleh** had never paid the complete amount that was agreed upon. There are many other issues during the arrest (e.g. search, seizure, interrogation, transportation, immigration record and the **Nayyar's** CD home surveillance recordings that went missing). I can elaborate on these later. As for me, I will never forget this ugly knowledge, I had gained of what these men and women are capable in their treatment of other human beings.

After the interrogation, **Mr. Nayyar** was taken to Metropolitan Detention Center (MDC Brooklyn), which is the **Eastern District of New York** (EDNY). At that time, the head of the **A.U.S.A. of the Eastern District of New York was Loretta Lynch**. Later, she became the **Attorney General of the United States of America**. She eventually stepped down when **President Donald J. Trump** came into power.

Ms. Loretta Lynch charged **Mr. Nayyar** with being an alien who was illegally in the United States; possession of a firearm and ammunition in violation of 18 U.S.C. §922 (g)(5).

Mr. Nayyar was represented by **Henry Steinglass** (CJA Lawyer) at that time, who was completely perfidious when telling **Nayyar** to cop-out. After two weeks, **Nayyar** retained **Mr. Martin Schmukler**. There are many very interesting incidents that happened during this period. One would be shocked as to by what happens inside the justice system. I will save that for later.

When **Mr. Schmukler** came onboard, the **Eastern District of New York** dismissed the complaint without prejudice, on **October 26, 2009**, a motion (**Case No.: 1:90-MJ-00949-MDG**) for an order dismissing the complaint without prejudice states, "**Defendant should be released at 5 pm today, unless he is taken into custody based on other charge.**" (There is something very interesting in what **U.S. Marshall's** revealed to **Mr. Nayyar**. I will reveal this later as well).

The Eastern District of New York knew that **Nayyar** was not as illegal alien, and the sworn affidavit given by **Special Agent Kelly** under **Director Mueller**, and later under subsequent **Director James B. Comey** (**James Comey is also a former prosecutor in the S.D.N.Y**) that "**Nayyar** is an alien who was illegally in the United States and possessed a firearm." This is a blatant lie, an erroneous, inaccurate, and deliberate falsehood of reckless disregard to the law that the **FBI Agent Kelly** represented.

Even though the indictment or complaint was dismissed on **October 26, 2009**, the **FBI** Agents came and picked up **Mr. Nayyar** from the Eastern District of New York Courthouse around 5 pm, then transported him back to 26 Federal Plaza, again took his picture, fingerprints, etc., and then took him to Metropolitan Correction Center (MCC Manhattan).

Please note: **that Mr. Nayyar was rearrested on the same charges from the complaint that was dismissed in the Eastern District of New York, and then taken by Agent Kelly to the Southern District of New York on the same charges.** Only on **November 4, 2009**, a new arrest warrant was issued by the Southern District of New York under U.S. Attorney **Preet Bharara**, where they tried to give me a new B.O.P. prison number. **Patrick Nayyar's** Number is **77606-053**. The last three numbers "053" are an E.D.N.Y. number. Any S.D.N.Y

number would be "**054**". However, the Bureau of Prisons (BOP) system would not allow two numbers which were **77606-053** (E.D.N.Y) and **62806-054** (S.D.N.Y), so **Nayyar** remained with the number **77606-053**. This purpose is to wipe out what took place in the Eastern District of New York. **Remember, the re-arrest was done on the same dismissed charge.** People in power think they can do whatever they want to do, and fools at the bottom have to swallow a bitter pill. If America is a country of law and order then this abuse of power and professional dereliction of duty needs to be rectified. The code of professional responsibility can not be hijacked in any democracy.

Now, in the Southern District of New York, **Mr. Nayyar** was charged with the following:

- 1). Conspiracy to provide material support to Hezbollah, a designated Foreign Terrorist Organization in violation of 18 U.S.C §2339 (B).
- 2). Provision of material support to a designated Foreign Terrorist Organization in violation 18 U.S.C §2339 (B).
- 3). Conspiracy to provide funds, goods, or services to and for the benefit of Hezbollah in violation of 50 U.S.C. §1705 (a).
- 4). Provision of funds, goods, or services to and for the benefit of Hezbollah in violation of 50 U.S.C. §1705 (a). And
- 5). ***Illegal alien in possession of a firearm and ammunition in violation of 18 U.S.C. 922 (g) (5).***

Mr. Nayyar does not know anybody from **Hezbollah**, nor has he had any connection or contact with said group. **Nayyar** came into contact with **Ali Saleh** through my construction business. **Nayyar** has done a number of building foundations for **Ali Saleh**. **Ali Saleh** is from **Lebanon**. **Nayyar** also knew that, while **Ali Saleh** was living in the United States of America, he had problems with the government for selling and importing counterfeit goods from China. *What Nayyar did not know, was that the FBI Agents can use such nefarious individuals like Ali Saleh to set people up or to target people who they choose.*

However, all this time **Nayyar** had been incarcerated since September 24, 2009. During this period, the head of the Southern District of New York, U.S. Attorney **Preet Bharara** went on National Television and said that, *"Nayyar was an illegal alien from India and he is being charged with terrorism."* Yet this dishonest, discredited moron did not inform the **Indian High Commission**, knowing **Mr. Nayyar** is an **Indian citizen**.

This was done by **Preet Bharara's** office as a media blitz, as there was **John Gotti Jr's** (N.Y. Mafia Boss) trial coming up, and now **Nayyar** from India is being portrayed as a terrorist. **Preet Bharara** himself is of **Indian decent** who capitalized on this issue. After all, he is a press hound. By the way, **Gotti Jr.** and **Nayyar** were cell mates in MCC. (7 South)

Preet Bharara talked about how "corporate leaders should react to employee wrongdoing by cleaning their house." Shouldn't he take his own medicine and respond to these false affidavits that are rolled out under his nose? The accusations, the entrapments, the willful misconduct of the prosecutors, the fishing expedition, the racial profiling, and creating a crime from the new cloth. These he should have cleaned up while he was the head of the Southern District of New York. After all, talk is cheap! Because he does not

represent the republic but rather his own purpose and circle.

To claim that Nayyar is an illegal alien is a lie and a false statement. Whether it came from **the Federal Bureau of Investigation, the Department of Homeland Security, or the Southern District of New York.** These honorable men could have easily found out from the Department of Homeland Security whether or not **Nayyar** was an illegal alien or not. Moreover, three Special Agents from Homeland Security were present at the time of **Nayyar's** arrest, and those Special Agents are **Alex Antes, Charity Patrick, and Carmen Ricci.**

During the arrest on September 24, 2009, Agent **Kelly** and Det. **O'Brien** asked for my **Indian Passport.** I personally took the passports out of my immigration folder and handed it to Agent **Kelly.** One passport was valid and two others were expired. Det. **O'Brien** then took my immigration folder from me. These were one of the first things that they confiscated from me personally. Later on, you will see that both Agents lied on many issues, which include my immigration status and how the immigration file went missing. Yet some of the items showed up as evidence at my trial, such as an airplane ticket to **Romania.** All my air travel tickets were within my immigration folder.

Now, even at this point, **to lie to the Indian High Commission** that "**Mr. Patrick Daniel Nayyar entered the U.S. sometime in 1998 and no passport details are available,**" is yet another bold-faced lie and it's deceitful and unscrupulous. The facts are that **Mr. Nayyar** entered the U.S. on **November 21, 1985** with a valid Visa issued from the **American Consulate in Calcutta, India.** The Visa was issued by Officer **Mr. Luis McCall.** The Visa number is 000007. And my social Security Number is _____ and my Alien Residence Number is _____.

Since entering the United States 33 years ago, **Nayyar** has never committed any felonies. **Nayyar** will take you through this whole debacle and make a substantial preliminary showing that **Preet Bharara**, knowingly and intentionally, with reckless disregard for the truth, made false statements himself as well as his subordinates in the U.S. Attorney's office that are **Brendon McGuire**, **Sean S. Buckley** and **Stephen J. Ritchin**.

Please note: that to bring **Nayyar** under the federal jurisdiction, the FBI and the E.D.N.Y., under the A.U.S.A. **Loretta Lynch**, and later in the S.D.N.Y. under the A.U.S.A. **Preet Bharara** colluded to lie in the affidavit for the arrest warrant that "**Nayyar** is an illegal alien." With this false statement, they obtained a warrant in bad faith. They knew that the supporting deposition was false and misleading. Without this lie, **Nayyar's** case would have been a State case. This lie that "**Nayyar** is an illegal alien in possession of a firearm and ammunition" brought **Nayyar** falsely to the federal jurisdiction.

You will see on the U.S. District Court Criminal Docket Case Number 1:09-CR-01037 (RWS), that **Nayyar** was arrested on **October 26, 2009 at 5 pm** and presented to the court on **October 27, 2009 at 4 pm for arraignment** which was held before Magistrate Judge, **Frank Maas**. Please note the "**arrest warrant**" was issued on **November 4, 2009**. However, on **November 3, 2009 at 11 am**, I went before **Judge Robert Workman Sweet**. This was the day that all hell would break loose for **Nayyar**. The courtroom was full of media and journalists and that was the day that **Nayyar** was charged with material support of terrorism. **Please note the dates and their inconsistency.**

In the course of going back and forth to court, **Nayyar** had many lawyers. In 8 ½ years, it is very hard to fight a case without help from the outside. Many of these lawyers are

former prosecutors in the Southern District of New York. This could be the reason that they don't want to fight against the District that made them who they are. These lawyers are as follows:

- 1). **Henry Steinglass**
- 2). **Martin L. Schmukler**
- 3). **Richard Harris Rosenberg**
- 4). **Bernard Alan Siedler**
- 5). **Dorea Helene Silverman** from **Charles A. Ross and Associates LLC**
- 6). **Sanford N. Talkin** from **Talkin, Muccigrosso and Roberts**
- 7). **Lori Cohen** from **Cohen and Funk P.C.**
- 8). **John Francis Kaley** from **Doar, Rieck, Kaley and Mack.**

The District Court judge in the S.D. N.Y. is **Robert Workman Sweet.**

My appeal lawyers are as follows:

Ms. Laura Grossfield Birger and Stephanie B. Turner from the Law Firm Cooley LLP, New York, NY.

The United States Court of Appeals for the Second Circuit judges present are **Denny Chin, Christopher F. Droney,** and Circuit judge **Katherine B. Forrest.**

There are plenty of issues on my direct appeal that I will leave for another time. (e.g., about **S.A. Kelly, Prosecutors, Conrad Mulholland,** etc.)

Come now, three different times, in front of Judge **Robert Workman Sweet, Mr. Nayyar** asked the Court that if the U.S. government said that **Nayyar** was an illegal alien and the FBI has **Nayyar's** passport and full information, then why is it that the court, the U.S.

government and the FBI did not inform the *Indian High Commission or consulate*? This was said in the Court, in the presence of A.U.S.A. *Brendon McGuire, Sean S. Buckley, and Stephen J. Ritchin*. The tendency of a single country to move away from these international agreement and they are not "*Reciprocal*" in nature is deeply dangerous and troubling to all of us.

Please note that the *Vienna Convention Article 36 on consular rights* provides in pertinent part; that when Law Enforcement Officials of a signatory Nation, arrest a citizen of another signatory Nation, they must promptly notify the arrestee's consular mission and advise the arrestee that he may consult with his consular officials. This was not done by the U.S. authorities for 8 ½ years in the case of *Mr. Nayyar*. As an Indian citizen, this a total disrespect to the Republic of India and its entire people. India as a nation is not a "*Banana Republic*," and this will never happen again. Remember when one of our female diplomats in Manhattan, New York was arrested and stripped searched? This happened under *Preet Bharara's* watch and this too, will never happen again. The Southern District of New York, what they have done to the integrity of the judicial system is that they have balled up the Constitution and thrown it out the window. *The rise of bastardization of justice system in the S.D.N.Y has dangerously weakened the American democracy.*

As you are already aware of my name, *Patrick Daniel Nayyar*, our dear mother is *Anglo Burmese*. Her father is from *Cochin, Kerala* and his title is *Auchthan (Brahman)*. My beloved father is of pure North Indian Decent and by *Caste Kshatriya*. The *Kshatriya* is a royal and fighting class that rule and defend society. I am very proud of my heritage and my father. My father was not only a very successful businessman in Burma, but was also a

freedom fighter for India. My father's name is **Mr. Sita Ram Nayyar**. My father came into contact with **Netaji Subhas Chandra Bose** around 1925, when **Netaji** was deported to Burma by the British, due to his revolutionary movement. My father was also the financier of that cause.

During the Second World War when Japan occupied Burma, **Netaji** and my father had much support from the Japanese when they formed "**Azad Hind Fauj**" (Indian National Army). My father was with **Netaji** in **Kohima** and **Imphal**. After the Second World War when Japan retreated, that was when the American and British troops came in. The returning American Army had auctioned off many of the equipment. In fact, all of it was purchased by my father. My father had told me that he had many more oxygen and acetylene cylinders than the Burma Oxygen Corporation (BOC). My father had three saw mills in Burma and also had a 99 years lease of Teak and Iron Wood Forest in upper Burma, which was located in the Northern State of Shan. My father was one of the main suppliers for the Indian Railways and the demand for Iron Wood. This wood is used for the Railways that the tracks lay upon. My father also had a contract with the Burmese government to salvage all the bridges that were destroyed by the retreating Japanese Army.

General Ne win came to power in 1962 and in 1966 the government of Burma Nationalized all of my father's property and assets then threw him out of the Country. Thus, we came to India.

Patrick Daniel Nayyar is not at all afraid of being deported; I love my native country India. I came to the United States when I was 21 years old and fresh out of college. I entered the United States legally and lived here legally for 33 years. **Nayyar** has paid taxes worked

hard and had a business that was legal. **Nayyar** married **Maryna** who is from **Belarus** and out of this union two children were born; **Joel** and **Adrianna** who are both American born citizens. Furthermore, **Nayyar** worked for **Dr. A.N. Kassapidis** for 17 ½ years and also had a successful company named **Alexiss Developers Engineers and Consultants of New York**. **Nayyar** was in the business of **demolition, excavation, foundation, underpinning, and shoring**.

At the time of his arrest, **Nayyar** was building a house for a judge and his daughter. The judge is a sitting judge in the New York Supreme Court and also of the Appellate Division. The judge's daughter is also a judge with the Family Court. How is it that **Nayyar** overnight was accused of terrorism? Even today, it boggles **Nayyar's** mind.

Please note that this statement is from the government's Pre – sentencing Report (PSR) and the Sentencing Transcript;

"With respect to his (Nayyar's) criminal record, it's almost non – existent. He has one misdemeanor conviction. And nevertheless, he's been subject to, under the guidelines a 12 (twelve) level enhancement to his offense level for an offense involving terrorism, and his criminal history has been raised from level 1 (one) where it would be based on his record to a level VI (six) because of §3A1.4".

"The evidence at trial demonstrated that Nayyar never engaged in any business of selling weapons to Hezbollah." And "where even the government has acknowledge that Mr. Nayyar is not a terrorist" (Sentencing Memorandum)

This is the truth. At trial, the jury said that they were having a hard time trying to convict **Nayyar** of material support of terrorism. **Judge Robert Workman Sweet** then

instructed the jury saying, *"It doesn't matter whether Nayyar committed the crime or not; it is his intention."*

The jury came back with the verdict of guilty on all counts.

Furthermore, I do have much respect for A.U.S.A **Sean S. Buckley**. At least one man in the southern District of New York has a good moral conscience to state in summation;

"As I said before, there is no claim here that the defendant (Nayyar) is a terrorist. No one is arguing that the defendant was planning to blow anything up or commit any acts of violence. Not at all, ladies and gentlemen; nor does the government argue that the defendant was a member of Hezbollah."

Also in the government's Sentencing submission states:

"The government respectfully submits that a sufficient sentence need not be within the guidelines range for two principle reasons. The defendant is 50 years old. A substantial sentence albeit, one short of the low end of the guidelines sentencing range will incapacitate the defendant for a sufficient period of time such that if and when he is released, he is unlikely to commit additional terrorism offenses. This is especially true here because Nayyar is not an ideologue or an extremist, but was motivated by greed, a motivation that will not necessarily lead him back to the company of terrorists or terrorist organizations. Moreover, no harm was actually done to victims of terrorism by the defendant's crime because he was dealing with a C. I. (Ali Saleh)"

"Accordingly when the defendant's criminal conduct is considered in view of the factors enumerated in section 3553 (a), the government respectfully submits that a substantial term of imprisonment, but one below the recommended guidelines sentencing

range is appropriate in this case."

With all the evidence attesting that **Nayyar** is not a terrorist, nor connected to any terrorist organization, **Judge Robert Workman Sweet** outrageously sentenced **Nayyar to 15 years imprisonment**. In truth, **Judge Sweet** has a personal issue with **Nayyar**. As prosecutor **Sean S. Buckley** stated at the sentencing hearing on **October 17, 2014** *"However, your honor, the defendant has, time and time again, shown his willingness to flout this Court's authority, both before your honor and before Judge Daniels at trial your honor observed him."*

While the court was in session, **Mr. Nayyar** said to **Judge Sweet**, *"Your honor, you have turned this courthouse from the temple of justice into a whorehouse."*

I do understand that my wisdom could be questioned, but I was angry and frustrated with all the lies, some of which are: doctored and tampered recordings. The FBI Agents lying under oath, the prosecutors lying statement, perfidious lawyers, and false lies as to what was found on my laptop computer. Making false accusations about my relationship with my wife **Maryna** and throwing all kinds of dirt on my name to see which kind would stick. Including upon my Christian Faith. At first they said I am a Muslim then a Buddhist (PSR ¶156 and 53)

At trial as I said before, were my lawyers **Sanford N. Talkin** from **Talkin Muccigrosso and Robert**, and **Dorea Helene Silverman** from **Charles A. Ross and Associates LLC**. **Nayyar** told **Sanford N. Talkin** before and during the trial that, **Nayyar** went to the **109th Police Precinct in Flushing, Queens New York**, and complained about an individual named **Ali Saleh** who was talking about terroristic threats to the United States.

Furthermore what triggered **Nayyar** to go to the 109th precinct was this: C.I. **Ali Saleh** asked if I was interested to do some terroristic activity. **Nayyar's** answer was, "**Are you stupid? Your children and mine were born in this Country!**"

Nayyar stopped talking to C. I. **Ali Saleh** at that time and went to the 109th precinct. These recordings exist and was done by the FBI and carried out by C. I. **Ali Saleh**. And **Nayyar** has the C.D recording and the 3500 materials.

At the 109th precinct **Nayyar** was then taken upstairs where all the Detectives had their workspace. When **Nayyar** sat down with the Detectives, they questioned **Nayyar** about C. I. **Ali Saleh**, and then they gave **Nayyar** the complaint number and their business cards. They told **Nayyar** to keep talking with C. I. **Ali Saleh** and to come back if there were any further developments. Now in a short while, on September 24, 2009, **Nayyar** was arrested by Agent **Kelly** and Detective **O'Brien**. While at 26 Federal Plaza, Detective **O'Brien** went through my wallet and took out the business cards of the Detectives as well as the complaint number that was on paper. I still have the names of those three N.Y. P. D. Detectives of the 109th precinct and the date of the complaint.

Another incident that occurred on or about **August 18, 1009**, was when someone kept calling my cell phone repeatedly for about 20 times. **Nayyar** never answered the calls. In fact I was so annoyed with said calls that I switched my phone off.

On September 24, 2009 **Nayyar** was arrested and then taken to 26 Federal Plaza for interrogation, where they then confiscated the contents of my wallet. During the interrogation, Agent **Kelly** and Detective **O'Brien** questioned **Nayyar**. Some of those questions were:

"On August 18, 2009 someone had called your cell phone many times, why did you not answer?"

Nayyar asked, "Who?"

The Agent replied, "**Zazi**."

Nayyar answered "I don't know anybody by the name of **Zazi**."

The Agent asked again, "Why did you not answer the call?"

Nayyar asked the Agent, "**Was it a blocked call?**"

The three Law Enforcement Agents then turned and looked at each other.

I never understood what this was all about until I was at MDC Brooklyn when a Chinese inmate handed me the New York Times. On the front page was an article about an individual that was taken into custody by the Federal Agents. This individual at that time was accused of being the New York subway bomber. Only then did **Nayyar** understand who "**Zazi**" was. **Nayyar** had never met, seen, or spoken to this man named "**Zazi**".

What is perplexing is that Agent **Kelly** with the help of Detective **O'Brien** from the **NYPD's Joint Terrorism Task force** was setting up **Nayyar** by using **Zazi's** cell phone by calling **Nayyar's** cell phone. What is even more disgraceful, **Zazi** at that time was already in the custody of Law Enforcement officials at the time of those 20 or so unanswered calls.

This is unacceptable, dishonorable, and degrading for any Law Enforcement Agents behavior. The question is, how low will these Agents involved go? These law enforcement agents gain nothing by winning, if they lose the moral value. This great nation of ours has lost its direction because these shady men and women who have hijacked the code of professional responsibility. They are caught in the web they had spun themselves, according

to the laws of their own twisted ethics and logics, therefore do not have any sense of direction but their ego and greed. Thus they have instinctively taken all of us onto a dark highway. These men and women have brought about bad publicity to the outstanding law enforcement agency. This frustrates us all.

The only reason **Nayyar** did not pick up the call, was by the grace of the Almighty God. If **Nayyar** had picked up that call, they would have unlawfully used this connection to link **Nayyar** to **Zazi**. That is why the Southern District of New York has repeatedly said:

"....the government has made no claim here that the defendant himself was a member of Hezbollah or that he CONSPIRED to engage in, or engaged in acts of violence."

(See the government Sentencing Submission)

There is another incident that did happen to me, but at this time it is not necessary to elaborate just yet. (Personal and family related matter). Thereafter I made a promise to myself to never answer a **"blocked call"** ever again. From 2008 up until the time I was arrested, I never again picked up any blocked calls. This incident saved me from a major **"entrapment"** that the law enforcement Agents deliberately fabricated evidence against me. This incident, I did narrate to my trial lawyer **Sanford N. Talkin**. This bastard is completely perfidious. I had also told **Sanford N. Talkin** to subpoena C. I. **Ali Saleh** at my trial, to which he said to me, ***"Don't worry, the government will put him on the stand to testify against you."***

The truth is, **Preet Bharara** never brought C. I. **Ali Saleh** to the stand to testify against **Nayyar**. Yet, the government used the 20 hours of recordings that were done by C. I. **Ali Saleh** as evidence at **Nayyar's** trial. Of course, the position that only favors the government.

The conversations that favor **Nayyar** were either redacted or were not brought by my perfidious lawyer. (**Nayyar** has plenty of evidence to prove his point. For now, I am trying to keep this letter as short as possible). This is a complete violation of **Nayyar's** Constitutional Rights. **Nayyar** had no way to confront those recordings at the trial as evidence since C. I. **Ali Saleh** did not testify at his trial. As my lawyer **Ms. Laura Grossfield Birger** stated in the U.S Court of Appeals for the Second Circuit **"Government's account is pure speculation."**

The A.U.S.A in the **Southern District of New York** knowingly violated the laws and the constitution when they denied **Nayyar** the right to confront his accuser. The right to confront one's accuser is a constitutional right. These prosecutors have what is called **"qualified immunity"** which allows these nefarious officials to practice malfeasance and violate a person's constitutional rights.

These men and women have abused their powers and destroyed America's poor and underprivileged, it has especially stigmatized the America's Black population. Holding an office and not participating in seeking justice, they need to question themselves. These men and women who have build their career through the Courtroom. Where they have wronged millions of Americans by their deeds, which they accuse others in order to climb the ladder of success. You see their preposterous and shameful behavior also on the Capitol Hill. Where gentlemanly adversaries gathering is turn into a battlefield of dark agender of power, politics and gossip, all the same whether it's in the Courtroom or Capital Hill, citizens are destroyed and killed including babies for selfish wants of power (e.g. late term abortion). I sincerely hope, that while in their death bed that their conscience will awaken. **Then they might wish they would have done things differently. Time will be against them though.**

In the **Bhagaved Gita**, Prince **Arjuna**, as he was about to go into battle against family and friends to defend his older brothers claim to the ancient throne of the **Kurus**, **Arjuna** asked Lord **Krishna**, *"What is the greatest thing on Earth?"*

Krishna answered, *"The greatest thing on Earth is human beings, seeing everyday millions of other people dying round him, yet he believes that death would not come to him."*

Unless and until our conscience is awakened we cannot see the world around us in true clarity. That is why many people are hurting out there. In the words of my **dear mother** *"what is life only a breath away, try to do good and be good."*

There was another incident of *"entrapment"* where C. I. **Ali Saleh** gave **Nayyar** a cell phone. It was one of those cheap cell phones and he had told **Nayyar** that they can use for private conversations. One thing we need to remember; **Nayyar** was never involved with any trouble or neither was he engaged in any criminal activities. Only when **Nayyar** came to prison did **Nayyar** clearly understand what the purpose of that cell phone, C. I. **Ali Saleh** gave, really was for.

Now, **Nayyar** had two cell phones: One for business which was a **NEXTEL**; and the other was an **Apple I-phone** that **Nayyar** had used for personal. **Nayyar** took the cell phone that C. I. **Ali Saleh** had given and gave it to one of his workers, who did not have a cell phone. This was another set-up by Agent **Kelly** and Detective **O'Brien**. Even then, **Nayyar** was still not getting set-up or entrapped by the Agents.

Nayyar do have the inter Law Enforcement electronic e-mail, where FBI Agent **Kelly** sent out to other agencies saying **"Leo (being Nayyar) is another source. I do not want to be setting up 'source on source'. The person 'Leo' (Nayyar) with his details."**

Nayyar has admitted at the trial that, I did give a simple handgun to C. I. **Ali Saleh**. That was my mistake, and it would have been a minor issue and a State case since **Nayyar** **has no previous criminal record. In order to capitalize on this, they turned it into a terrorist case.** By the way, the gun was legally purchased and **NOT** illegally obtained. In fact, an **ATF Agent** testified to this at trial (See the trial transcript).

The day when C. I. **Ali Saleh** came to purchase a gun (handgun) from **Nayyar**, that was legally purchased, he asked **Nayyar** if we could go down to the basement of **Nayyar's** house and shoot it to see if it worked.

Nayyar told him, **"go to your own house and shoot!"** Then C. I. **Ali Saleh** asked if we could remove the serial number from the handgun. **Nayyar** then began to notice that something was wrong and told **Ali Saleh**, **"Here, give me the gun back and take your money"**. This is on the FBI's recorded conversation done by C. I. **Ali Saleh**.

C. I. **Ali Saleh** then replied, "Why are you upset? I am just asking." (All these are on recordings).

Now, to make this clear, until **Nayyar** sold the gun to C. I. **Ali Saleh**, he was not talking about terrorism or terroristic activities. When he started talking about terrorism, **Nayyar** then went to the 109th precinct. **One thing for sure, without the instruction and coaching of the FBI special agent Kelly and the N.Y.P.D Detective O'Brien of Joint Terrorism Task Force, Nayyar very much doubts that C. I. Ali Saleh could have asked Nayyar these**

specific questions or purchased the simple handgun, or bought the cell phone or even asked to do something wrong in the United States.

This is completely disgraceful. I am very sure that these **troglodyte judges** know these things are happening and to allow them, this is poignantly tragic. The law of the Nation is entrusted to keep the Nation together. Where the gate keepers of the law become the law breakers and conflation of justice and punishment is broken it adds more pain to the cruelty already in place. Once people lose their trust in the justice system. Anarchy ensues. These cracks in Law Enforcement have to be sealed in order for people to have faith in our Law Enforcement and judicial system once again.

During the **Bond Hearing of Patrick Daniel Nayyar** was held on or about **December 8, 2010**. The A.U.S.A. **Brendon Meguire** said that **Nayyar** was an illegal alien and that bail is denied. This is a lie on the part of A.U.S.A. **Brendon Meguire** of the **Southern district of New York**.

During the **Suppression Hearing of Patrick Daniel Nayyar** was held on or about **February 2, 2011**. At this time, **Nayyar's** attorney was **Alan Siedler**. The A.U.S.A's were **Brendon Meguire** and **Sean S. Buckley** and was held before judge **Robert Workman Sweet**.

At the hearing, A.U.S.A. **Brendon Meguire** stated in the courtroom again, that **Nayyar** was an illegal alien in front of Judge **Sweet**. **This time, Nayyar proved to the court that he was not an illegal alien**. This proof is in the **Court Suppression Hearing Transcripts**. And also in the **August 21, 2013** and **December 8, 2013 Omnibus motion**, that **Nayyar** submitted to the court Pro-se. the motions are on the U.S. District Court for the Southern District of New York, criminal Docket for **case No.: 1:9-CR-01037 (RWS)**.

Nayyar proved to the court that he was not an illegal alien. The Southern District of New York under **Preet Bharara** a few days before the trial on **March 15, 2012**, stated in count 5: that **"Nayyar was an illegal alien in possession of a firearm and ammunition"**. It was subsequently removed and the **new superseding indictment** for the gun became: **"Nayyar was conspiring to traffic in firearms and ammunition or to ship goods in interstate or foreign commerce."**

The trial date was **March 19, 2012**. **Nayyar** never shipped or trafficked any guns or ammunition in his entire 33 years in the United States. **Nayyar** asked Judge **Sweet** for time to challenge this **new superseding indictment**, which is **Nayyar's "due process" right**. Judge **Sweet** denied the request saying, **"We already set up the trial date"** (**Pretrial Transcript March 15, 2012**). The question is, what about **Nayyar** rights? **Nayyar** guess his rights are thrown out the window. Judge **Robert Workman Sweet** should be reminded that, "A judge should participate in establishing, maintaining, and enforcing high standards of conduct, and should personally observe those standards, so that the integrity and independence of the judiciary may be preserved." "Although judges should be independent, they should comply with the law, as well as the provisions of this code. Public confidence in the impartiality of the judiciary is maintained by the adherence of each judge to this responsibility diminishes public confidence in the judiciary and thereby does injury to the system of government under law." **Judges are there to uphold the law and not break the law themselves.**

By the way, after A.U.S.A **Brendon Meguire** was caught lying again during **the suppression hearing that was held on February 2, 2011**, he left **Nayyar's** case. The S.D.N.Y.

may have some other excuse, but **Nayyar** sees it differently. Regarding Judge **Sweet** denying **Nayyar's** rights to challenge the new superseding indictment for the gun can be seen on the **court transcript held on March 15, 2012.**

Come now, one of the issues at trial was the search and seizure of the laptop computer that belongs to **Nayyar**. (More details of this can be seen on the courts transcript for both the trial and the appeal.) The District Judge **Sweet** recognized the need to further clarify, asking the government to recall the FBI Special **Agent Candace Hunter** back on the witness stand. She has just testified earlier about **Nayyar's** computer. When Judge **Sweet** asked the prosecutor **Sean S. Buckley** to recall **Candace Hunter** on the witness stand, the prosecutor's reply was:

"Even as we speak, special Agent Hunter is on her way back to Alabama."

Sure, **Candace Hunter** is on her way back because **Nayyar** found out that the search and seizure of the laptop computer was illegal. Now, in the District Court and the Second Circuit Court of Appeals, these judges, how they deliberately commit legal hedging on this issue is by far the most bureaucratic red tape I have seen in my life time. This **"Hocus-Pocus"** beats the greatest magic show on Earth.

If you see the entire issue on the computer from the initial search and seizure, to the Second Circuit court of Appeals, it is such a charming milieu to see how these judges justify an illegal search and lies in the courtroom and that the constitution is thrown out the window and shame on these judges who have lost their moral compass..

Please note that the trial transcript given to **Nayyar**, by the government, about how the FBI agent **Candace Hunter's** issue when she was recalled by judge **Sweet**, **went missing**

or were doctored from the trial transcript. On Direct appeal, **Nayyar** told his appeal lawyer **Ms. Laura Grossfield Birger** from the **Law Firm of Cooley LLP, New York, NY**, that this incident happened during the trial and is in the record of the trial transcript; these statements are missing. **On appeal, the government acknowledged that Nayyar's account was correct. (Nayyar does have the doctored court transcript to back this up).**

The governance of the justice system where courts transcripts are redacted or doctored is an atrocity to our justice system. This is happening on Courts transcripts nationwide, and one can only imagine that it's also happening to law enforcement recordings. The court has to be better monitored, measured, and recorded. The courts cannot be the political and judicial black box in America. There has to be transparency. Our court transcripts should not perpetuate the assumption that it is intuitively reasonably correct but ultimately wrong. These documents should and have to be 100% correct because it is the evidence.

Nayyar will give you another example. **On remand from the Second Circuit Court of Appeals to the District Court, this was on October 14, 2015.** However, **the oral argument for the hearing was done on September 22, 2016.**

Now, at the hearing or oral argument, the defense appeal lawyer **Ms. Laura Grossfield Birger**, during the oral argument spoke about the suppositiously so called pornographic images found on **Nayyar's** computer by FBI Agent **Kelly** and Agent **Hunter**, who aided and abetted the illegal search and seizure. **These supposed images were never on his computer** (and proven at the oral argument held on September 22, 2016 in the United States District Court, Southern District of New York). This was done by FBI agent **Kelly** to

conspire and defraud the constitutional rights of the accused. When **Nayyar's** lawyer (**Ms. Birger**) said in open court that these supposed images were not on the computer, the prosecutor **Sean S. Buckley** from the Southern District of New York acknowledged that those images were never on the computer. However, it was judge **Robert Workman Sweet** who said first:

"It was a red herring."

However, in the Oral Argument Hearing Transcript, it is stated as if the defense lawyer **Ms. Laura Grossfield Birger** had said it. This type of court transcript has become a *"Feedback loop"* rather than the actual evidence of the courts oral argument and proceedings. **Nayyar** did call **Ms. Laura Grossfield Birger**. When **Nayyar** received the transcript **Nayyar** asked **Ms. Laura Grossfield Birger** *"you did not say it was a red herring"* and *"It is on the court transcript as you have said it"*.

Ms. Birger's reply was, *"I do not recall."* **Nayyar** surmise old habits die hard, since she too was a former prosecutor of the Southern District of New York at one time.

On the issue of **Nayyar's** laptop computer, what FBI Agents **Michael D. Kelly**, **Candace Hunter** and Det. **Michael O'Brien** did, clearly violated **Nayyar's** constitutional rights. These law enforcement officers are well aware of their rights and the people's constitutional rights. The corruption starts from the top and never from the bottom. These incidences happened under Director **Robert Mueller** and under subsequent Director **James B. Comey**. After **Mueller** did a stint as a U.S. Attorney in San Francisco, President **George W. Bush** nominated him to direct the FBI. He was sworn in on September 4, 2001, just one week before the planes hit the Twin Towers. I do agree that during this period, we as Americans

were going through real hard times. No one is denying that there are very bad people out there who want to hurt America and its people, but to **"entrap"** regular people are another.

Now let me further elaborate about the supposititious images that FBI Agent **Michael D. Kelly** came across during his initial review of **Nayyar's** computer. Those images were the real reason as to why the two FBI Agents, **Kelly** and **Hunter**, stopped to get a search warrant. **That was a lie as those images do not exist at all.** This fact was acknowledged by the government prosecutors on **September 22, 2016** during the argument of the computer search. Please note that during the trial, the prosecutors said that **"Nayyar did give his consent to search the laptop computer."** This is also a **lie told by prosecutors** (The prosecutor admitted that they **mis-spoke see October 14, 2015** oral argument Court of Appeals).

Now, at the hearing on **September 22, 2016**, this is what judge **Robert Workman Sweet** said about the images **(that don't exist).**

"Whether there was or wasn't doesn't matter." and he continued to say, **"so he made a mistake, Kelly made a mistake."**

This type of absolute abuse of power and corruption is very prevalent in the Southern District of New York. The justice system in the S.D.N.Y has become pathetic because of these **bamboozle Judges**. These lies are being covered up by the District Judge **Sweet** when he says, **"Doesn't matter"** or **"made a mistake"** or to call it a **"red herring"**. It is a conundrum, not a **"red herring"**, but rather a **"barrier to justice"**. This kind of sugar rush Judge **Sweet**, brings danger to our judicial system because in a lie the person who say the lie hurts the person it is projected against.

To judge **Robert Workman Sweet**, this is what **Nayyar** would like to say, *"A lie is a lie, no matter what the subject is, and if it is in any way relevant to the case, you, as a judge have the legal responsibility and duty to correct what you now know to be false, and you have a duty to elicit the truth. A threat to justice anywhere, is a threat to justice everywhere"*. The truth and lie are opposite. When someone lies, it has an agenda to move, project, hurt, disgrace, and pull down the truth. It also misleads others. By misleading means, you make others believe on the lies and their judgment of you shifts. Now this injustice hurts not only the individual but many around on both sides who got involved with this lie. This does hurt many honest people and their character because the lie has misled them. It hurts the prosecution, the FBI, the N.Y.P.D, the Judges, the court system, the community, the society, and the nation as a whole. Last but not the least **Mr. Patrick Daniel Nayyar, his family and friends**.

According to the prosecutors, Agent **Kelly** came across these supposed images during his review. *(This was illegally accessed without a search warrant in the first place)*. Therefore, when he saw these images, he stopped and showed these images to agent **Candace Hunter**. Now, all of a sudden, they discovered and recognized that the laptop computer was *"password protected"*. Then they decided to apply for a search warrant. The truth is, there were **NO SUCH IMAGES ON THE COMPUTER!** The government themselves admitted to these findings or evidence. *(See oral arguments transcript held on September 22, 2016)*. This was also a *lie perpetrated by the government and the FBI agents*.

The prosecutors knowing this to be false, still went ahead with this narrative to *"wall – off"* agent **Kelly** because his search and subsequent review of the contents of the

computer, was illegal. Therefore, FBI agent **Kelly** was "**contaminated**," then the prosecutors brought in Detective **Michael O'Brien**. Det. **O'Brien** lied in the search warrant affidavit saying that he was not a part of the arrest or involved in the search.

This is completely false because the administrative worksheet Nayyar received from 3500 (Jencks Material) materials states otherwise. It clearly states that Det. **Michael O'Brien** was part of the search and arrest team. Moreover, Det. **O'Brien** did not testify at the trial, but Agent **Kelly** did. (The contaminated Agent).

At the trial, the prosecutors stated to the jury that **Nayyar** was selling arms from **Romtechnica** and **Orion Corporation**. This is a lie as well because these companies or the corporations were defunct and did not exist. This I brought up at trial. (See trial transcript). When the jury asked the judge about this, he promptly changed the subject. At the trial, the prosecutor stated, "that **Nayyar's** trip to Atlanta, Georgia was to pick up arms for C. I Ali Saleh." However, in the sentencing submission, the same prosecutors stated, "His (**Nayyar**) trip to Atlanta, Georgia was in reality not a trip to obtain items for the C. I (Ali Saleh)". This is what has become of Southern District of New York.

The Agents and the government very well knew that my trip to **Atlanta, Georgia** was to pick up a motorcycle that I had purchased from an auction.

These type of misspoken or false statements injected during the trial are embarrassing and rattles the core meaning of justice in the Southern District of New York.

Even during the trial and the Appeal, for prosecutors to state "**Conrad Mulholland** is **absconding**" is a completely false statement and a lie. (By the way, **Conrad Mulholland** is supposedly **Nayyar's** Co – conspirator) There are recordings done by the FBI and C. I Ali

Saleh that is very conspicuous in that **Mr. Mulholland** had nothing to do with this conspiracy. Furthermore, **Mr. Mulholland** was willing to testify on my behalf but my trial lawyer did not want him to testify. **Mr. Mulholland** is willing to speak on my behalf, even today. The public will know the truth. **Nayyar** has more than 80 issues with his case involving law enforcement officials, lawyers, prosecutors and judges. **Mr. Mulholland** is a British citizen.

Nayyar also has many other cases where the Southern District of New York has railroaded other defendants, as well as **Director James B. Comey when he too, was a prosecutor in the Southern district of New York**. **Nayyar** has papers to back up all these allegations. The structure of hierarchical position in the S.D.N.Y has an unnatural top-heavy, two tier arrangement and combined with growing evidence of power abuses. The public has a growing concern, that there is something fishy about the structure of American equality. Today this has given rise to many **socialist** and **anti - capitalist** movement; they are in "**vogue**". Again, our capitalist party needs to use society's ears and eyes which is the best tools anyone can find in order to solve problems collaboratively so that there is equal justice under the law.

The Southern District of New York under A.U.S.A **Preet Bharara** also said that **Nayyar** abused **Maryna**. **This is a total fabrication. It is also in my PSR Report**. I do have **the Supreme Court of the State of New York action of divorce** in my possession and it clearly states a clause under "**abandonment**" and not under "**Cruel and Inhumane Treatment**". This was a big lie and an attempt to lynch my character. **Judge Sweet has yet to remove this lie**. **Nayyar** also brought this up at his sentencing. The prosecutors kept their mouth shut because they knew it was a lie. This false accusation is more devastating to me as a person,

than the 8 ½ years I've been in prison.

During the suppression hearing, the prosecutors of the S.D. N.Y. also brought **Maryna Nosava** (**Nayyar's** wife) to testify against **Nayyar**. Even though at that time, **Nayyar** stated that we were still legally married. The prosecutors and Judge **Sweet** know that it is against **United States Supreme Court** ruling, *that the court cannot pit husband and wife against each other for the sake of the family and the public as a society (Hawkin Rule)*. **Nayyar** protested in court and as usual, it fell on deaf ears of Judge **Sweet**.

Now, at the trial while **Nayyar** was on the witness stand, I did bring up the issue that the government gave **Ms. Maryna** a U-Visa to testify against me at the suppression hearing. Judge **Sweet** was uptight when asked, *"Well, did you know whether or not your wife got a U-visa?"* **Nayyar** replied, *"Yes, from the 3500 material (Jencks material)"*. Judge **Sweet** then ordered the jury out of the courtroom for a short recess. My lawyers, **Sanford Talkin** and **Dorea Silverman**, then consulted with prosecutors **Sean Buckley** and **Stephen J. Richin**, who wrote a statement for **Nayyar** to sign, which **Nayyar** then took the paper to read. During this confusion, **Nayyar** slid the hand written statement in with the rest of his documents (**Nayyar has this hand written document in his possession**). Then judge **Sweet** took me into his conference room with both my lawyers, the prosecutors and the stenographer and then spoke to **Nayyar** saying, *"Look, these windows don't open, they are big and strong" and "if you are trying to jump out, it won't happen"*.

As I understood it, Judge **Sweet** was literally telling me, in other words, that you are in the most powerful Southern District of New York (S.D.N.Y.) that plays ball dirty and to leave it alone. Now, I do understand that I was taking on the biggest machine that buries

people alive.

Today, Maryna, (my ex-wife) is a U.S. Citizen. In addition, just to note, **Maryna** did not testify against me at the trial. During the trial, when my attorney **Sanford Talkin** said, **"the prosecutor is going to bring Maryna to testify against you."** **Nayyar's** reply was, **"Good, they should."** **Sanford Talkin** answered **"you are not afraid what she might say?"** **Nayyar** replied, **"No! I said Maryna can never look into my face and lie about me because beyond my faults, I always took care of her."**

One thing that the public needs to note is this, the FBI and the N.Y.P.D. colluded with the Southern District of New York, knowingly and intentionally practices in an unethical practice of breaking up a home. **Nayyar** has his own evidences and other papers to back up this statement. **In America today, you see millions of broken homes all across the Nation. These culprits are one of the main causes of broken homes and homes without fathers. These culprits are guilty of crimes against humanity. This is genocide, and the American Holocaust.** These young men of color have become a sacrificial offering for those men and women who crave power, position, and prestige. This barbarism of hell is one of the reasons why so many inmates abuse psychoactive substances in prison. There is much greater addiction of all kinds of drugs in prison then the free world. **What are we doing to our society for want of power? As for me I will never be free knowing millions in America are incarcerated beyond the scope of the crime these young men have committed.** While the public is in awe with their prestidigitation. (See the black community in the United States of America).

I can never be upset with **Nannette** or **Maryna**. Oh! By the way, **Nannette** was my

first love, and also the mother of our daughter **Alexiss**. **Alexiss** is the love of my life. 22 years of age and a beautiful young lady. She is getting two degrees at the same time, from two different Universities'. She is doing her English Honors and Computer Science. **Nannette** as a woman that has so much beauty, largesse and an extraordinary luminous personality.

My relationship with **Maryna** was both pleasurable and a wonderful dream. I do not say this lightly. One may not have the full awareness of destiny until events turn up; then one realizes there is a definite purpose. Sometimes that connects two people who are destined to meet regardless of time, place, and circumstance. This invisible thread of fate was ours. With **Maryna**, I have two children: **Joel** and **Adrianna**. Our children were five and three years of age, respectively at the time of my arrest in 2009. What upset me the most was, while I was in MCC Manhattan, the Southern District of New York under A.U.S.A. **Preet Bharara**, would not allow my children and **Maryna** to visit me. They also hijacked my phone calls and letters. It has been 8 ½ years and I have not seen my children. I did bring this issue up in front of Judge **Sweet**, and as usual it fell on deaf ears.

Through it all, I am not upset at **Maryna**. I do have papers and documents to prove everything that I have written in these pages. *The prosecutors of the Southern District of New York even threatened Maryna's deportation if she did not help the government. Nayyar has this letter from the S. D. N. Y. that was sent to Maryna regarding the threat of deportation. (Copy of the letter is in the August 21, 2013 omnibus motion).* Since **Maryna** has no knowledge of criminal activities by **Nayyar** to tell, the FBI and the prosecutors used her and our children as a fulcrum to put mental pressure on **Nayyar**, so **Nayyar** would be on drugs administered by the B. O. P or to see the B. O. P. psychologist or go through sleepless

nights.

Nayyar has seen many inmates driven to madness with these mental tortures. I have seen many men break down and bow before this powerful Southern District of New York. In spite of all this, **Nayyar** stood strong only by God's grace. **Maryna** is a young mother of two very young children at the time of my arrest in 2009. I fully understand she did what she had to do for the children's sake. As for me, those years of being so alone, were very difficult. Nevertheless, little by little, my life started to sort itself out, and prison became a learning experience for me. I am very sure that it was hard for **Maryna** as well. Truly, she deserves a plethora of honors showered upon her.

The Southern District of New York exploited every resource and bent every rule in the book to inconvenience **Nayyar** with these lies. The truth is, **Nayyar** would have won if they would have played fair with him. Since our justice system has become a flagship in the incarceration program for the prison industrial complex. It is a show case project outside the justice process. And because of the big budget that is funded by the government, which is why they need to justify their work. These prosecutors, lawyers, judges, politicians, bureaucrats, law – enforcement and even the BOP psychologist they all have a very strong incentives to exaggerate their accomplishment on crime, society and ethos.

This torturous place: The USP, the gulag, the gas chamber. Whether it is Treblinka or USP Pollock or American slavery. These practices or place are hell on earth. There is no difference for the people who have gone through this situation. The only difference of opinion are base on one's who have never been inside these places or situation. If you have been an inmate within these prison walls, you have died a thousand internal deaths. And

you will understand what I am talking about.

Many Americans do know how awful our own justice system is, however there are those for whom even the mildest criticism of the judicial system constitutes a kind of heresy. Yet we all abbores the genocide in Rwanda, Syria or Burma (Myanmar) and our own hands are soaked in blood. Those who slide through life unaccosted and unaccountable, only God know what in their wake? This is a cruel paradox of life on earth. Enough of this exploitation of the poor, needy, uneducated, homeless, fatherless, widows, immigrant, addiction and more. It is time for us to heed the *prophet Isaiah* and set the captives free.

One may have a sense of outrage that *Nayyar* would accuse the public servants like the FBI and the prosecutors of doing such things. In *Nayyar's* case, it is not an accusation or assumption nor theories or allegations. I have the documents to prove all of my statements and plenty of papers to prove everything that I have said. These allegations that you have heard are no longer rumors, but the truth is, "*justice is denied*" to millions of Americans.

I am sure that these honorable men and women have their side of the story. They accused *Nayyar* lugubriously. Now it's *Nayyar's* time to tell his side of the story. In every story there is empathy, focus, and impute. In the courts; one District judge and three Appeal judges have justified only on certain issues presented. I am sure millions of people who will hear my side of the story will also impute and discern the critical faculty that judge *Robert Workman Sweet* sentenced *Nayyar* to 15 years, one year before the sentencing date. This turpitude of Judge *Robert Workman Sweet* shows clearly that the entire trial of *Mr. Nayyar* has been "*rigged*", because Judge himself has become lawless.

James Boswell who wrote about the life of *Samuel Johnson* writes: "*Every man has*

the right to utter what he thinks "truth" and every other man has a right to knock it down." This is a story of a man who has fulfilled the obligation and welfare of the people that are incarcerated in the United States of America, the justice system has become suffocated in the shackles of a bureaucratic command system which is cruel and conspicuous. Americans are well aware that the judicial system needs to be reformed. The courts have to be secular, transparent, and accountable to people of all race, color, culture, and faith, and that they will not be discriminated against. Today, in America, the Justice Department is more like an Inquisitorial court where different color, belief, and poor are being decimated. I've seen this first hand while in prison. There was a time in America, when it comes to realize that a nation cannot exist half slave and half free. And the time has come for this injustice "*purdah*" (curtain) to be tear down. People in power need to understand that this two tier system they have created is a looming existential threat from within.

The poor and the underclass have one question: How is it that this great democracy which promised the "*American Dream*" has turned into an "*American Holocaust?*" Where did it go wrong and what is the alternative? Well, in Church history it teaches us the era of reformation. Where the great universal Church, the Pope, great emissary of God had to fold. *Nayyar* would call it the "*Great Break*". Even the counter reformation of the Catholic Church, could not turn the tide of much needed change, which marked the era of the Catholic Church as a universal order of Christianity. The Holy Grail was not in the thesis of *Martin Luther*, but rather people asking for change. *Martin Luther* was just the catalyst.

Judge *Robert Workman Sweet*, you are on the bench, and you do have the capability to stop this culture of lies, fabrication of crimes, these fake accusations, these C. I.'s (like *Ali*

Saleh) that are gaming the criminal justice system and these defense lawyers that have no interest in representing the truth rather have become well-fare recipient in the judicial system. *Nayyar* does have the names of cooperating witnesses with bodies and have walked away with little or no time. Then there are those young black and Hispanic men with drugs charges who have as little as two dime bags, and judges have given them 3 to 10 years in the Southern District of New York.

There is a loss of judicial credibility especially in the Southern District of New York – where people's trust and faith in the judicial system is betrayed. If this continues, this great Nation and its democracy will drop to its knees. Concentration of so much power within one department, in all actuality, defiles the core foundation of democracy, where judges in the District Courts remain in power for life. This statement should not be an unrealistic expectation. If we are to have credibility in any democracy, then these things have to change. Not one person should remain in power forever or only when they feel the need to retire or death itself becomes a transition. If you have seen the movie by Merchant Ivory Film "*Shakespeare Wallah*" where in the film, the troupe encounter an itinerant monkey trainer who laments that people no longer care for his art. In time people will no longer respect the judgment of these Judges.

Surely, injustice of any kind disturbs us all, and what is a far greater wrong than being denied justice, about righting wrongs and about defending the powerless. In the end, no one gets away with any acts of injustice, nor does God leave us unrewarded of our work done in faith. Onset of my incarceration, it has been an uphill battle. These intelligentsia of the Southern District of New York, their lies are not the whim of a corrupt nature, but a mode of

existence, a condition that has become a culture used in daily warfare of the courts, so much so that this culture has contaminated every aspect of life in this great Nation that is called the United States of America. You see it daily on televisions and other forms of media. This is also **"the tipping point"** of a nostalgic period and end to the era of trial and error, where America is finding itself or in pubertal stage.

At the core of the American intelligentsia, the Ivy League Universities is the place where lawyers are bred and cultivated only to strengthen the **prison industrial complex**. Today, **Preet Bharara is teaching at the New York University Law School**, the subject probably on; **Acquisitive license to lie and advance one's career**: the condition created for these men and women are close to ideal, in order to accomplish their goal. These individuals have status, money, equipment, career, and no distractions. Apart from physical conditions; they are also given a much needed degree of freedom to lie.

This stimulates the creativity. In order to win a trial, one can use any weapon in its arsenal, where bench actors (judges) overlook when this happens. These law students and professors have become specialists in the United States of America's constitution and had imprisoned 2.5 millions people and 32 millions people with felony records. These felons are denied basic rights of any democracy to vote.

These members of the **"chicken expletive club"** (these are Director **James B. Comey's** words, not **Nayyar's**) have gained for themselves and their families a standard of living that are relatively high in any given society. These **"chicken expletive club"** members comprise of intelligentsia that exploit the undereducated with prospects of climbing the ladder of power. These intelligent minds also provide a perfect milieu for brewing liberal ideas. They have

formed a political class in the United States of America. They feed the public with liberal ideology, and they themselves are critical of the system that they have created. The public is being undermined, when they ask for "*perestroika*" (change). What change? It is only to burden the poor and underprivileged. My question is, doesn't it resemble the socialist and communist system? ***My father lost everything to a socialist government in Burma.***

I clearly remember ***Preet Bharara*** said this in his speech in Las Vegas, "We in the Southern District of New York are like gods." This is the ultimate audacity; this god (packsaddle jackass) got a kick in his alimentary canal by a human named ***Mr. Donald J. Trump***. Thank God, for such humans who have the courage to kick these degrading and dishonorable gods, such as ***James B. Comey, Andrew McCabe*** and others.

Sun Tzu in the "*Art of War*" said, "*If you know the enemy and know yourself, you need not fear the result of hundred battles.*" My single voice can only be so powerful – but with your pen and voice, we can amplify the suffering voices of the incarcerated. These young men looking for someone who can make things right, somehow, are afraid to speak up.

This story and many others must be told and it doesn't depend on mainstream media. Today, we have social media. Social media has become a magic wand which can reach billions more than any single television or newspaper. ***Today, whether Nayyar's side of the story is the truth, lies or fake, let the people be the judges.***

In the end, the power lies with the common people. Never forget it can be used for one's benefit. Technology has come a long way. ***Nayyar*** may have been denied justice in the Southern District of New York for 8 ½ years, but social media can be used correctly as a

primary weapon. It can cause a ripple effect across any Country or continent. Remember, none of us are helpless pawns. We become helpless only when we allow ourselves to become one.

Napoleon Bonaparte said: *"The men who have changed the universe have never gotten there by working on leaders, but rather by moving the masses, working on leaders is the method of intrigue and only leads to secondary result. Working on the masses, however, is the stroke of genius that changes the face of the world"*.

Any one person can stir the lowest instincts and intoxicate the Country with the anger, oppression, and attitude. Yet time is therefore silent. In the **Bhagavad Gita**, **Krishna** tells **Arjuna** the warrior to return from the imagined world to reality and from the imagined self to one's actual self. A return to God is possible from any real place – however shameful and disgusting, but not from an imagined one – because we are not there. An imagined self, in a imagined world cannot start a journey toward God. Let us all try to choose reality and God saves us from our ghosts.

After I lost my trial and was sentenced to 15 years, I have been silent, and my Sentencing and appeal lawyer **Ms. Laura Grossfield Birger** has been the goddess of wisdom. She has pulled me, or at times stopped me from overcoming my warriors' rashness. Yet there is a tipping point in all of us, just as the clock struck the hour. As for **Nayyar**, I am very proud of my heritage and background. *I am proud that I am Indian. I wait patiently to kiss the shores of India. Too long, we Indians have been the second edition of Great Britain. When people talk about India – in their mind comes "Yoga". That is why we are the third largest economy and has zero say so in the world arena or respect. This will change. India*

is on the threshold of the "new millennium". This is not an accident man, there is a higher purpose.

In conclusion, the Southern District of New York is not a corporation that delivers or manufactures cookies and eggnog. It is there to deliver justice that effects individuals; families, communities and society as a whole. May God bless us all, and God bless America.

I would like to thank my dear brother **Derrick Nayyar**, for all these years that he stood by me. Thank you very much, and I love you. And to all of my family who had supported me financially, spiritually and emotionally especially to my dear sister **Juliana** and her husband **Geoffrey Bourne**, to my dear mother and sister **Patricia**, I love you both very much. To my children **Alexiss**, **Joel** and **Adrianna**. I love you all very much and your father will rise again from this ashes. Last and not the least to **Nannette** thank you for being my 'Nirvana'.

From.

Patrick Daniel Nayyar

Honorable Robert Workman Sweet
Southern District of New York
500 Pearl Street
New York, N.Y 10007
April 2nd, 2019

Patrick Daniel Nayyar
Reg. # 77606-053
F.C.I Pollock
Po Box 4050
Pollock, LA 71467

Dear Judge Robert W. Sweet.

I am sure my name will remind you as to whom I am and hence I need not introduce myself. Although it would be depreciating and thoughtless on my part if I don't pen this letter to you. My purpose in writing this letter is that I feel the moment have come for me to cross a line, which I never wanted to: The airing of dirty judicial laundry here in the Southern district of New York. I am sure some in the S.D.N.Y don't give a hoot but I am sure public does.

In the ***Bhagavad Gita*** it is written: "***The Company of people who don't believe in seeking eternal truth is bad company***". And I do hope you will recollect what you told me during my trial when you called my lawyers and me into your conference room and said: "***look, these windows don't open, they are big, and strong, if you are trying to jump out, it won't happened***". These years of my incarceration as difficult as it has been. These words from your mouth were a warning to both of us.

The department of justice, when itself transgress the law, we as a society looses power. Only observances of the law give us power. The judicial department in our nation is like a watch's mainspring without it even the most expertly designed watch will not function. It is the power behind that is essential for the function and flourishing of our society. This also sustains continually that all things held together.

Today against centuries of moral teaching and jurisprudence. Where the nature of accused doers guilt are determine by their intention in our Courtroom. ***Just like you did at my trial: when the Jury said that they were having a hard time to convict "Nayyar" of material support of terrorism.*** Your reply or instruction to the jury was: ***"it doesn't matter whether Nayyar committed the crime or not, it is his intention."*** What justification can there be for such loose talk or foolishness from an honorable man like you.

Even though your instruction to the jury was ***pure speculation*** on your part. The jury absorbed and sucks up your words. Only because you are a discrete individual in a discrete position. And you are very well aware that our inner state of mind, intentions, ideologies, belief or motives – could neither mitigate nor aggravate an offense. I guess in the ***Southern District of New York*** them simply: ***"it doesn't matter"***. And for the body count in our nation's mass incarceration (***The American Holocaust***) which is so massive that it render any intention, no matter how malignant or moot it is.

Doesn't our justice system remind us of ***Auschwitz, Krakow, or Treblinka.*** After all the gas chamber were not invented by a primitive, barbaric, and illiterate people. ***Judge Sweet your words does matter: it can set free or lead all of us to hell.*** It is almost a cosmic lunacy between you and me. I was accused of material support of terrorism and you in the same court room is a self confessed mass murderer of people's lives, families and trust. Yet, I am sure you never meant anyone any harm. As terrible it may sound it is the truth. And your intention and its consequence does bring about catastrophe in our society. A cog in the machine that buries people alive.

Nevertheless, what has happened to me, naturally lead me to ask: what would I have done if I were in your shoes? Answer is complicating as to any

other question pertaining to **confidential informants** or **conspiracy indictment**, which has made U.S.A also the world leaders in locking up its own citizens, both in absolute terms and as a share of its population. Will this industry last is yet to be seen.

Today, in America the poor, the uneducated and the under privileged men and women are reduce to **Pavloian minium**, offering no resistance to the forces of injustice because you and the Department of Justice who are the **Gate Keepers of the Constitution** have failed. Unless they are one of the elite and privileged classes then the **Gate Keepers** and the **Department of Justice** are willing to make sure the Constitution is preserved. **For them even crimes becomes a "matter" and it is nullified.**

The Department of Justice has not learned from the wheels of history. Where "**Collaborator**" (today's **confidential informants**) caused plenty of misery, chaos and death of 1.5 million children and 4.5 million adult to their death. Total of more than six millions Jewish death and yet we have learned very little from it. The failer of the American judicial system is controversial and becoming "**the American Tragedy**". The guilt pervasive is unimaginable and unmanageable. This evil which has exceeded proper bounds and its overreaching effect is seldom allowed to reach daylight. And the public is completely oblivious until it happens to him or her.

This evil circus has also infiltrated into the political arena whether it is Democrat or Republican, each wants the other to fail rather than to see a successful United States of America. Such foolishness, it's beyond exorcism of these demons in us. Thus we are becoming unbearable human being because generosity is a word found in a dictionary and less in humanity. **You know how**

to punish, criticize, point out the ignorance and short coming of others, but you cannot accept when it is to you.

I have challenged the most powerful and the sovereign District of New York and had resided these past 10 years in an inhospitable place. And I do have a good sense of direction as to what lays ahead unless the Good Lord changes. And my patience has been my number one virtue. These years in prison has taught me why million of men and women that are incarcerated in America are so afraid to fight against the powerful system like the S.D.N.Y. these top-dogs, or killer elite team or the vultures could re-arrest, re-indict, and also able to injure anyone reputation by having one's name dragged through the mud with the help of the main stream media. The judges become quiescent observers or they are participant to a golden chalice of fiendish.

The principles of the French Revelation, the Magna Carter, and the United Nations declaration of human rights all come into existence due to injustice of some kind. This prison industrial complex and its mass incarceration phenomenon of evil deeds committed on a gigantic scale, which could not be traced to any particularity of wickedness, pathology or ideological conviction in the wrong doers it seem to me that ***"Adolf Eichman in everyone of us"***. In the ***Kabbala*** it teaches us that ***"we humans have all the character in us, only the time brings out those behaviors."***

None of us are a single and solitary actors, neither however strong nor magnificent. We can never accomplish anything good or bad without the help of other just like these prosecutors cannot achieve their goals without your help. And history has taught us how some of these collaborative dimension of people has brought such suffering on humanity across the planet called Earth.

When *"evil is sufficiently on a massive scale, not everyone involved will share the same intentions: People will act for a variety of reason many of them having nothing to do with the nature of the enterprise itself"*. Thus their careerism, wages, status, and power become a personal motivation than as a structure of the institution. This blurs the vision of everyone who is involved. Therefore, most becomes *"robots"* in an enterprise, whose sole function is dictated by so called *"Job Protocol"*. Where the vision of justice is blurred; the truth, check, and balance dies. The entire country is affected and genocide is ensured.

For now these charming romantic men and women can bath in their power, money, status, beautiful homes enjoying good wines, cigars, haute cuisine, and dance to the music of their choice. They are unaware their deeds have punished and murdered million of poor Americans in the name of justice, ethic and crime. And they justified this genocide on pure rational grounds. The Department of Justice is based upon the American school of thought on *"pragmatism"* where truth is an instrumental and contingent state; a claim is true for now if by all test, it works for now.

This monstrous insensitivity has poisoned every crevice in our country. Across America this dissatisfaction hangs on the head of the Department of Justice, we can all observe and see on the main stream media. What is happening in America should never have happened. This is the last place left on Earth for justice. *My question is why Justice Department being so precious that she is always attended and protected by guard dogs of lies. This may be the reason why the truth cannot penetrate and the "tabernacle" of fairness is ugly.*

In the end I am pretty sure you may be furious and angry at what I have written. ***And deafness in an individual cannot supplicate the proud.*** I do not use weapons but my words, neither am I a religious radical. These individuals only become the prophet of evil and think God is their personal property.

Please, step back and reason for a moment, your injustice has robbed me years of my life, my family and my reputation destroyed. One thing I have learned is that; there is no such thing as ***"Not Guilty"*** in ***the Southern District of New York*** once you're indicted. The saboteur will railroad to get what it wants no matter what the ***"Truth"*** is and the Judges help them to achieve those goals. This creates disproportion and inequality. People's lives and reputation are being destroyed on daily basis. ***Judge Sweet, you cannot protect any of the Amendment without accountability.***

As in my case, amid the myriad of Court proceeding that were tragically unjust, the incompetent defense attorneys at my trial, the shoddy evidences, and the lies. The false accusation and dubious investigation tactics have put me imprisonment. Judge Sweet, I am quite sure if injustice robbed you of these years I have served in prison, lost my family and my reputation destroyed. How would you feel or act. Therefore: ***"a judge should be hesitant before sentencing so severely that he destroys all hopes and takes away all possibility of useful life. Punishment should not be more severe than that necessary to satisfy goals of punishment."*** This is why many inmates cannot look forward beyond imprisonment. ***You and many of your colleagues have failed miserably to the oath taken to serve the people of this great nation.***

I have never denied where my mistake was: that I gave a simple hand gun to a confidential informant in Queens, New York and I am willing to take my fair share of punishment. ***Even though the gun charge can be contested since it***

was dismissed in the E.D.N.Y and the S.D.N.Y re-arrest me on the same gun charge. And I did challenged this on Pro-se motion regarding *“Jurisdiction”* and *“Venue”*, without any reply brief from the prosecutor, you dismiss my motion with a stroke of a pen saying *“Untimely”*. Therefore my *“due process”* and *“rule of law”* was completely violated. Also as for my counsel’s ineffective performance. The *“terrorism”* charges were false and trump-up indictment. And you damn knows that very well! That is why the prosecutors themselves state: *“as I said before, there is no claim here that the defendant (Nayyar) is a terrorist. No one is arguing that the defendant was planning to blow anything up or commit any act of violence. Not at all, ladies and gentleman; nor does the government argue that the defendant was a member of Hezbollah.”* With all these statement from the prosecutor officially attesting for me in your Courtroom and in your presence. You still punished me for *“terrorism”* charges. What a subterfuge and strych-ninism judgment.

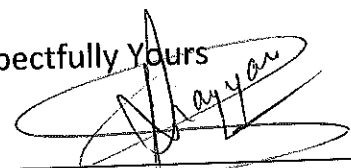
Even today, this discrimination can be seen in the political arena as to what those men and women have learned from the warfare of the Courtroom. These prosecutors who have become politicians want full report of *Robert Mueller* on the *President Trump* to be revealed. How about when they were prosecutors, they never wanted to disclose *“the bills of particulars”* and *“the grand jury minuets”* on the individual they have indicted. As in my case, I do hope you’ll be able to recollect, if not it is on the docket sheet and the court transcript. I did filed a pro-se motion for these documents and I also requested for these documents at the pre-trial hearing. I did not get any of these documents I guess this only for the privilege class and for sure I am not.

Bear in mind, I do not want to *“repay evil with evil or insult with insult.”* In my email to my appeal attorney *Ms. Laura Grossfield Birger* dated *May 30th*,

2016. I have written and extended forgiveness and the hope of well being for those who have unjustly wronged me. Yes! and I do not deny that I still have a spark of anger. This anger may only calm down when I see my son and daughters face to face. You do know that I have not seen them for approximately 10 years. Now, *I am here in Pollock, Louisiana thousand of miles away from my mother in New York, who is the only one that is able to visit me with my sister from Canada.* These type of injustice does bother me, yet being a Christian, I am keeping my peace but I do not have Christ's scandalous mercy.

In conclusion, hopefully you and I will realize our limitation, mistakes, and simply see ourselves as who we are: **"I am"** a mere human being. May God Bless Us All.

I have also included 44 pages document of things that happened in my case and the Email dated May 30th, 2016 to my appeal attorney.

Respectfully Yours

Patrick Daniel Nayyar

June 21, 2019
The Attorney General of U.S.A
Honorable Mr. William Barr
U.S Department of Justice
950 Pennsylvania Ave. N.W
Washington D.C 20530-0001

Patrick Daniel Nayyar
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Honorable Mr. William Barr

Mr. William Barr, it is my pleasure and honor to write to you. And let me introduce myself to you. My name is Patrick Daniel Nayyar and I have lived in Queens, New York for approximately 33 years and at present I am incarcerated in Pollock, Louisiana.

I have enclosed the 44 pages document as to what concisely transpired and also are the letters I have written to the **President Donald J. Trump**, the **Judge Robert Workman Sweet**, **Ms. Catherine O'Hagan Wolfe** and the email to my attorney **Ms. Laura Grossfield Birger**. Even though the previous writings may be accompany by bitterness, I do apologize and acknowledge that time does heals.

Mr. Barr, you are an honorable man and I am very sure there are many more such men and women under you in the Department of Justice. However, these past decades: **I personally feel the blind folded Themis' shadow has fallen upon the Justice Department and metaphorically the whole system is darkened.** Thereby some of our outstanding country's prosecutors, judges and the law enforcement agents have walked us through this valley of the shadow of death. This walk on in darkness has shaken all the foundation of the earth out of course. This has driven the United States of America, a shining city upon a hill into darkness.

It is markedly objectionable that these professionals can get away by committing such crime, corruption and canard only because many of us refuse to do our duty to speak up and give evidence. These professionals within the

department who abuses the government given privileges, tools and power to arrest, prosecute and sentence has harm our society. These men and women have hijacked the code of professionals' responsibility and to serve the people of this great country. Furthermore, these professionals to conceal their scandalous wrong doing use **deportation as a strategic tools is tragic**. This element only brings about catastrophe and traumatic shock on many families its also brings disgrace and dishonor to us as an enlightened society.

In the United States of America, since "No one is above the law." Then none of us should be able to lie in our courtroom also, not even the Judges should have the power to cover these lies as "Mistakes." As in my case, the evidence of injustice done to me and my family could only happen in a **"Banana Republic"** or in a **"Communist's country"**: where **lies are projected as truth**. What is the correctness, how do we remedy or rectify? Mr. William Barr, I am sure you have notice how the Justice Department from the last time you were **the Attorney General of United States of America has descended into declivity with such excessive velocity and it is losing its center of gravity**. In today's political climate, this small elite group of professionals, judges and agents guided by their academic ideologies has broken free of disciplinary specialization of professionalism and moralism. Thereby on a broadest of perspective to represent one's self, rather than to each other and to United States as a whole. Thus it has taken all of us onto a precipitous dark arterial highway. Like the Psalmist said **"Surely men of low degree are vanity and men of high degree are a lie: to be laid in the balance, they are altogether lighter than vanity."** I do hope and pray under your watch this will not be the case, because this should never happen here in the United States of America.

On the same note, one cannot reduce or subtract what has happened on **September 11, 2001**, it was a tragic day that is forever burned into our minds and branded on our lives. The act of terrorism, this tragedy that fateful day in which countless lives that was disrupted, did bring tremendous grief and pain to billion

around the globe. And much more to us as American and especially even greater anguish to New Yorkers. I personally lost two good friends on that fateful day by this grossly wicked act. This has taught us that **"Terrorism"** is real and that we cannot let our guard down. During this melancholic period, there was another darker side: when many individuals and their family were dragged under the dragnet of **"Material Support of Terrorism."** It is one of moral significance: where many families have paid a price that is uncalled for.

In my early statement and letters, I may have been arrogant and aggressive. As I look back and began to understand the pain of many families on both side of this disastrous event. When tragedies occur on such a gigantic scale, highly charged emotions of greed and fear get intertwined. Just as greed can throw many career professionals to the wind and chase highly dubious agendum. And fear on the other end of extreme can also drive or caution many good individuals to go along with the agenda. And some of us may avoid to speak up because it can cause upheaval in today's political climate, belief, or a wrong that is powerfully motivated. **We as American, when we succumb to any of these emotion, we lose our moral compass. America is the magnetic needle that directs the rest of the world.** We as a country are to forge onward, we need to correct and acknowledge our mistakes. After all we are human being and none of us are perfect. I do hope you will look into this case, so that we can all go forward in making this country even greater. So that Justice is preserved in the United States of America and has a meaningful end.

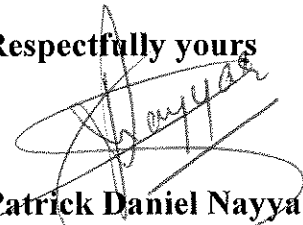
I do have another issue. As you are already aware that I am here in F.C.I Pollock, Louisiana (medium) I was transferred form F.C.I Ray Brook, New York (medium) with low points and no disciplinary history in entire 10 year of my incarceration. I was transferred to F.C.I Pollock with management variable stating: that I am on a program transfer. There is no program for me here. Now my classification is (9) points. And if immigration is the issue, I still have much time **(my release date is 10/18/2022)** However, according to the document, I have a

bench warrant in New York, which mean after I complete my sentence, I still have to go back to New York. And my family is in New York. Why I am being held here in Louisiana, which is more than 500 miles law passed by the Congress. These types of injustice go beyond punishment and destroy family relationship. And I sincerely hope that you will be able to bring about justice, equality and integrity to the system.

In conclusion, the country goes up or down zigzagging on the tail of the Justice Department. Therefore opportunity to add to the greatness of America's position and prestige is also on the risk in such a story or case. As for my kismet, in the end I do believe as John Milton said: **"long is the way and hard, that out of hell leads up to light."**

God bless America! Thank you very much for giving me your ears. I look forward to hearing from you at your convenience.

Respectfully yours



Patrick Daniel Nayyar
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F.C.I Pollock
PO Box 4050
Pollock, Louisiana 71467

Mr. Donald J. Trump
The President of the USA
1600 Pennsylvania Ave. N.W.
Washington D.C. 20500
October 31st, 2019

Patrick Daniel Nayyar
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Dear Mr. President Donald J. Trump

Mr. President, my name is **Patrick Daniel Nayyar** #77606-053 and I am currently being held at the Federal Prison in Pollock, Louisiana. On *September 24, 2009*, I was indicted on a Charge of terrorism. A charge that I vehemently deny. I took the case to trial and was subsequently convicted at trial. I appealed the case to the United States Court of Appeals for the Second Circuit which confirmed the conviction. My case started in the **Eastern District of New York**, under **Ms. Loretta Lynch**. The complaint was subsequently dismissed by the **Eastern District of New York**. I was then rearrested and taken to the **Southern District of New York** under a corrupt **Preet Bharara**. **Mr. President**, I have enclosed forty four (44) pages & documents of what really happened in my case. I attempted to mail these to my brother in India and to this date he still has not received them. You will see the whole picture of why this story needs to be brought into the light for the people to see.

Many powerful individuals involved in impeding your government are also directly involved in my case. Of late, **Justice in the S.D.N.Y is very much like the Court of Renaissance**. Much to my perplexity and disbelief is how these so called Lovers of Justice could inject such blatant lies, throw out the **"Due Process"** and the **United States Constitution**. They imagine themselves the pinnacle of refinement but underneath their glittering surface is a cauldron of dark emotions – where greed, canard, lust, hatred and envy that boils and simmers. My God! These people want power. Thank God you were elected. America has seen what has happened to you and

to the **Honorable Brett Kavanaugh** confirmation to the Supreme Court of the United States of America.

These individuals in their linguistic game to half sell a duck to swindle ("Vendre un Canard a Moitie"). Thereby measure of truth and justice is removed. In their world everyone is guilty by accusation very un-American. Under this inquisition, I was convicted; my constitutional rights were railroaded and false statements that were purposely put forward as the truth. These lies which were injected by the prosecutor and the FBI agents came into light at my direct appeal. Yet these judges including my **District Judge Robert Workman Sweet** covered these lies as "**mistake**". The prosecutors stated very clearly in their Summation and Sentencing submission. "**As I said before there is no claim here that the defendant is a Terrorist. No one is arguing that the Defendant was planning to blow anything up or Commit any Acts of Violence. Not at all ladies & gentlemen; nor does the Government argue that the defendant was a member of Hezbollah;**" and "**this is especially true here as Nayyar is not an Ideologue or an Extremist.**"

At my trial, the prosecutors lied in front of the jury and later in direct appeal stated: "**The Government acknowledges that it misspoke during the evidentiary proffer... This was an error the government did not correct in the District Court.**" (**The United States Court of Appeals for the Second Circuit dated October 14, 2015**) These gentlemen "**Misspoke**" was their answers to their **misdeeds**, at the Oral Arguments.

The FBI Agents, who searched my personal computer illegally, when it came to light to cover the illegal search, they injected by saying that there was "**child pornography**" on the computer. Nayyar challenged this issue on Direct Appeal. The prosecutors and the FBI Agents admitted there was "**NO CHILD PRONOGRAPHY**" found. This was a lie to lynch my reputation, integrity, moral and ethical strength. Then to put icing on the cake, the **District Judge Robert Workman Sweet** stated "**whether there was or wasn't doesn't matter and so he made a mistake...FBI agent Kelly made a mistake**" (**Oral Argument September 22, 2016**). This type of attitude by a presiding

judge is disastrous to the Judicial System and to the country. And this type of Justice in the Southern District of New York has become a caricature unto itself.

My lawyer: **Ms. Laura Grossfield Birger** from **Colley L.L.P New York, New York**. At the oral argument held on **September 22, 2016** in the United States District Court, southern district of New York:

Ms. Birger: Mr. Nayyar simply wants the court to understand, which I am sure the court already does, that there was **"No child Pornography"** and this was all a **Red Herring**.

The Court: It did not get to the jury is what I am saying.

Ms. Birger: it got to the jury, but I think it was on a disc. It was introduced at trial.

The Court: you mean the disc was introduced.

Ms. Birger: Yes the entire thing.

The Court: The disc was introduced but that particular information was not put before the jury as such?

Ms. Birger: Yes...the whole thing is part of the trial record.

Mr. President: The prosecutors and the FBI agents knew these supporting depositions were false, misleading and it was done in bad faith while also violating my Fourth & Fifth amendment Rights.

These same agents also stated that ***"Nayyar is an illegal alien."*** This is not true. I have been a legal resident in the United States of America since 1986. One of my charges in the Southern District of New York was ***"being an illegal alien in possession of a firearm."*** Now, during the suppression hearing as to **Patrick Nayyar** held on **February 2, 2011 in the S.D.N.Y. The government lied that Nayyar was an illegal alien;** this I proved to the government and to the court presided by **Judge Robert Workman Sweet**. The fact, I was not in the United States illegally or an illegal alien...(see **February 2, 2011 Suppression Hearing Transcripts**)

Since I was no longer an illegal alien in possession of a firearm. The Government on or around **March 15, 2012**, just a few days before my trial the government superseded with a new indictment removing the previous gun charge. The new indictment being: ***"Nayyar was conspiring to traffic in arms and ammunition or to ship goods in interstate or foreign commerce."*** Yet another lie. I have never shipped or trafficked in guns or ammunition in my life let alone the 33 years I have lived in the United States of America. ***(See: March 15, 2012 Pre-trial Transcript)*** Please also note the affidavit for the arrest and search warrant, which was declared under oath before the judges, was also wrong since it stated I was an illegal alien. This should have made the arrest and search warrant invalid as it was based off of known false statements.

The Southern District of New York has become a dark breeding ground for these conducts: When behaviors such as these are not checked they molt and metamorphose into a gregarious nature. These individuals transform into an untouchable class until they implode and demolish themselves of their usefulness, such as the *Clintons* and *Mr. Comey*.

I was made out to be a Terrorist during the President Barrack Obama policies. I am not denying the fact that there are some bad people, who want to hurt and ruin this great nation. One only has to see the bigger picture, during Obama's presidency there were over a thousand cases involved in ***"Terrorism"***. These liberals will promote anything when it suits their agenda. Even now, today they blame you, Mr. President of creating ***"Islamophobia"***, ***"Terrorism"***, ***"Racism"***, and ***"Hate"***. This is completely ridiculous and highly inappropriate. Now, these Liberals are in Jingoistic support of Muslims. Their hypocrisy of doing one thing while they were in power yesterday and today out of power to sing a different song is to legerdemain the American public. These chameleons and their pugnacity are catching up with them, because you have revealed their true identity. Therefore they are no longer pseudonymous.

Mr. President, I am an immigrant from India, who was married to a young lady from Belarus with two (2) American born children. My mother is an American Citizen.

My beloved father is buried in *Flushing Cemetery, New York*. I do have a burial spot for my mother and myself next to my father here in Queens New York. I am Christian by faith and a member of the *Assembly of God Church*. I graduated from *Southern Asia Bible College in Bangalore India*. I have lived in the United States since 1985 in New York. I have paid my taxes and have never taken advantage of government help or assistance in these thirty-three (33) years. ***I also saved a woman from being kidnapped by a cabbie in Queens.*** You can Google search this in regards to me. with respect to my criminal record ***"it is almost non-existent"*** (***Sentencing Transcript October 27, 2014 S.D.N.Y.***) In the nine (9) years and four (4) months of being incarcerated, I have not received a single violation or write up for misbehavior or disobeying the authority. This speaks volumes about the content of my character.

I am neither a lawless or criminal minded individual. This accusation of Terrorism has nothing to do with me. I am not a Terrorist nor do I share in their religious belief. Please do not get me wrong I am not against Islam neither I am against the people of that faith. I am who I am, regardless of what was done to stigmatize me. it does not change my Christian Character, and to just talk or write to you about my good behavior and conduct would be egocentric.

Please also note that I do not infer that all persons at the *Department of Justice* and *The Federal Bureau of Investigations* are nefarious. Not at all Sir!! There are many who serve this great nation with noble and powerful values such as courage, honor, and pride. There are those who put their lives on the line everyday in our *Armed Services and Law Enforcement*. My highest respect goes out to them and their families. America is great because it has sons and daughters who are willing to live and die for this great country then there are these men and women who are willing to stand up for the "Rights" of the people regardless of color, or beliefs. That is the America I came to, where the individual consciences become a collective human achievement and history: A land of equal opportunity to pursue prosperity and success through hard work, determination, and initiative. That is the *American Dream*.

In the end, I have to thank the *Southern District of New York* for these years in prison. They have not been spent frivolously. They did take away my pleasures but allowed me the time to flood my mind with ideas, creativity, and inspiration to solve problems and to overcome weakness through sheer persistence. It also has taught me the power of relationships between people regardless of class, color, beliefs, or education. What I have learned here has become an advantageous tool. With this instrument in any country I could exercise it and create a gravitational pull that will have a centrifugal impact on millions of people around the world.

Mr. President, you have a very keen understanding and with the experience of what is happening to you personally. Therefore, no one can tell you stories. In fact you taught us that ***"A Frisbee can fly two ways"***. You sir are a ***"Heroic Soul"*** elected to remove the mist over the eyes of everyone in this great country. What we could not see, you did to help us see. ***You have forever changed the Presidency of the United States of America by being the head and not the tail.*** You truly love this country and its people. I and many others wish that there were more men and women like you who are attuned to the hearts and minds of the common people below. To the elite class you are a threat because they cannot govern like you do and they are good at being intoxicated in their self-righteous arrogance, and excelling at spinning the media. In their unhappy admiration of you, they fester inside. In their anxieties they sow discontent across the board. You have seen this from some of the *Federal District Court Judges* against your policies to protect the United States of America. The weakest branch of the government is obstructing the highest branch of the government by legal hedging. This type of business has nothing to do with justice but with flaunting their powers and their life-long positions. There are millions of people praying for you and your family everyday. The greatest weapon is the *Power of Prayer*.

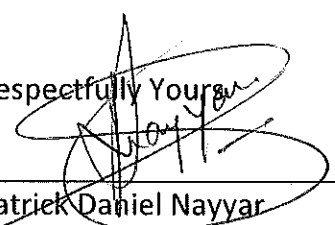
In conclusion, it is my pleasure to write such a great man, who also grew up in Queens, NY. This has been a Pyrrhic Battle. It has taken a lot of courage to stare into

the abyss. In this journey of pain and loneliness only my faith in Christ and my courage has upheld me. I was painted in the worst light by lies, improper evidence, and prosecutorial misconduct, which violated every principle of justice, fairness and the integrity of the judicial system.

Justice has been elusive to me in the *Southern District of New York*. What I have penned in these pages is true, and I do request **Clemency** from you. To set me free once again, so I can see my mother and my children. My incarceration record speaks for itself. If you cannot grant Clemency please approve my *Treaty Transfer* back to India. The nature of power within our society is also relevant to the international laws, order, and treaties it has signed. One thing for sure whether I am in America or India, I will rise again. I do sincerely hope you will end this psychological moment.

God Bless you, your family and America abundantly. Thank you very much.

Respectfully Yours



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